

TREASURER'S MONTHLY REPORT-BANK BALANCES, INVESTMENTS, REVENUES AND DISBURSEMENTS**December 31, 2020****BANK BALANCES:**

	STATEMENTS
US BANK MASTER ACCOUNT	\$ 4,951,026.11
TOTAL	<u>\$4,951,026.11</u>

INVESTMENTS:

MT Board of Investments - Short Term Investment Pool (STIP)	\$41,416,174.20
TOTAL	<u>\$41,416,174.20</u>
GRAND TOTAL	<u>\$46,367,200.31</u>

OTHER BANK BALANCES:

	STATEMENTS
CLERK OF COURT RESTITUTION	\$ 15,700.93
SHERIFF'S COMMISSARY	\$ 84,642.84
SHERIFF'S CIVIL	\$ 25,161.86
SHERIFF'S EVIDENCE	\$ 73,116.45
JUSTICE COURT OLD TRUST	\$ 1,248.86
JUSTICE COURT NEW TRUST	\$ 80,243.00
TOTAL	<u>\$ 280,113.94</u>

RECEIPTS:

MOTOR VEHICLE	\$ 890,137.40
PROPERTY TAX	\$ 13,245,930.99
REVENUE RECEIPTS	\$ 6,084,204.23
TOTAL	<u>\$20,220,272.62</u>

DISBURSEMENTS: Made in the current month.

MONTANA MOTOR VEHICLE DIVISION	\$ 614,897.52
MONTANA DEPT. OF REVENUE	\$ 1,717,226.52
CITY OF GREAT FALLS	\$ 3,431,516.90
GREAT FALLS PUBLIC SCHOOLS	\$ 6,023,772.34
MISC. REMITTANCES	\$ 274,924.96
TOTAL	<u>\$ 12,062,338.24</u>

AGENDA # _____

DATE _____

AGENDA REPORT

Prepared for the

CASCADE COUNTY COMMISSION

ITEM Approved checks issued since 12/26/2020

PRESENTED BY: Cascade County Clerk & Recorder/Auditor

The Board of County Commissioners has approved invoices and accounts payable checks #308272 through #308352 totaling \$ 254,250.40 and EFT #9101775 to 9101779 totaling \$ 363,540.48 for an A/P total of \$ 617,790.88 dated 12/28/20 through 12/31/2020.

A listing of all paid checks is available in the Cascade County Commissioners Office.

CASCADE COUNTY WORK SESSION MINUTES

VIA ZOOM ONLINE MEETING

January 6, 2021 – 2:00 P.M.

Notice: Pursuant to MCA 2-3-212(1), the official record of the minutes of the meeting is in audio form, located at cascadecountymt.gov and the Clerk and Records Office. This is a written record of this meeting to reflect all the proceedings of the Board. MCA 7-4-2611 (2) (b). Timestamps are indicated below, in red, and will direct you to the precise location should you wish to review a specific agenda item audio segment. This written record is in draft form until officially approved on January 11, 2021.	COMMISSION MINUTES JOURNAL # 61
Board of Cascade County Commissioners: Chairman James L. Larson, Commissioner Jane Weber excused and Commissioner Joe Briggs	
Staff Present: Undersheriff Cory Reeves, Les Payne – Public Works Director, Mary Embleton – Budget Officer, Carey Ann Haight – Deputy County Attorney, Bonnie Fogerty and Kyler Baker – Commission office, and Marie Johnson Deputy Clerk & Recorder	
Public Members Present: Bennet Howser	
Chairman Larson opened the work session meeting at 2:00 pm	
Consent Agenda Items:	Department:
Resolution 21-01: Establishing a Regular Cascade County Commission Meeting Schedule for 2021.	Commissioners 01:50
Resolution 21-02: Establishing a daily rate of credit for incarceration for FY 2020-2021.	Commissioners 01:55
Board Appointment Great Falls Airport Authority with one vacancy and one applicant requesting reappointment for Robert David Smith with a term expiration of December 31, 2023.	Commissioners 03:36
Contract 21-03: Contract between Cascade County and the Great Falls Turf Club for removal and replacement of fencing on the northside of the Jockeys building at the ExpoPark in the amount of \$4,626.	Public Works 04:06
Contract 21-05: Equipment purchase and services agreement by and between Willo Co. Inc. and Cascade County. This agreement is for the purchase and replacement of twelve (12) locks in J-Pod and the Cascade County Detention Center with a total cost of \$49,830.	Sheriffs Dept. 05:56
City/County Health Department	
Contract 21-01: MT DPHHS Contract Amendment #3 for HIV Prevention Services #18-07-4-003-0 effective amended date of January 1, 2021 – December 31, 2021 additional funding of \$36, 640.	CCHD 08:49
Contract 21-02: Memorandum of Agreement between the Little Shell Tribe of Chippewa Indians and CCHD to facilitate the implementation and execution of the Tribe’s COVID-19 Vaccination Plan effective one year (1) from the date of signing.	CCHD 11:34

AGENDA – No items for this upcoming Commission Meeting.

Add on Items

Contract 21-04: Temporary Construction Agreement for DAR2020 between Cascade County and Skull Butte Ranch Inc. **13:40**

Contract 21-06: Temporary Construction Agreement for DAR2020 between Cascade County and Neuman Land and Livestock Inc. **15:10**

Adjournment: Commissioner Larson closed the work session meeting at 2:19 p.m.

CASCADE COUNTY COMMISSION MEETING

January 12, 2021

Via Zoom

9:30 A.M.

Commission
Journal #61

Notice: Pursuant to MCA 2-3-212(1), the official record of the minutes of the meeting is in audio form, located at cascadecountymt.gov and the Clerk and Records Office. This is a written record of this meeting to reflect all the proceedings of the Board. MCA 7-4-2611 (2) (b). Timestamps are indicated below, in red, and will direct you to the precise location should you wish to review a specific agenda item audio segment. These are in draft form until officially approved on January 26, 2021.

Commission: Chairman James L. Larson, Commissioner Jane Weber and Commissioner Joe Briggs

Staff: Mary Embleton - Budget Officer, Carey Ann Haight - Deputy County Attorney, Les Payne - Public Works Director, Susan Shannon-ExpoPark, Bonnie Fogerty and Kyler Baker - Commission Office and Marie Johnson -Deputy Clerk & Recorder

Public: Lyle Fogerty, Kelly Manzer, Monica Reed, and Jenn Rowell

Call to Order: Chairman Larson called the meeting to order and introduced the upcoming motion to elect the 2021 presiding officer, Commissioner Weber. 01:09

Motion to approve/disapprove:

2021 Presiding Officer, Jane Weber, Chairman of the Board of County Commissioners, Cascade County, Montana (per Ordinance 12-01, R0247337)
Commissioner Briggs made a **MOTION** per Ordinance 12-01, Commissioner Jane Weber take over as presiding officer.

Motion carries 3-0 01:39

Madam Chair Weber presided. 02:42

Reading of the Commissioners' calendar: Bonnie Fogerty read the calendar. 03:11

Purchase orders and accounts payable checks: *See agenda for payment information.*
Commissioner Larson made a **MOTION** to approve purchase orders and accounts payable warrants. **Motion carries 3-0 09:02**

Consent agenda: Routine day-to-day items that require Commission action. Any Commissioner may pull items from the Consent Agenda for separate discussion/vote.

Approval of the Minutes and Consent Agenda Items: Commissioner Briggs made a **MOTION** to (A) Approve minute entries December 22, 2020) (B) Approval of Routine Contracts as Follows:

Resolution 21-01: Establishing a Regular Cascade County Commission Meeting Schedule for calendar year 2021. 09:20

Resolution 21-02: Establishing a daily rate of credit for incarceration for calendar year FY 2021 daily per diem rate of \$95.00 09:29

Board Appointment Great Falls Airport Authority with one vacancy and one applicant requesting reappointment for Robert David Smith with a term expiration of December 31, 2023. **09:40**

Contract 21-03: Contract between Cascade County and the Great Falls Turf Club for removal and replacement of fencing on the northside of the Jockeys building at the ExpoPark total cost of \$4,626. **10:00**

Contract 21-04: Temporary Construction Agreement for DAR2020 between Cascade County and Skull Butte Ranch Inc. This grants the exclusive right to perform construction activities necessary to replace a culvert on St. Peter Mission Road near Mile Post (M.P.) 3.12 **10:10**

Contract 21-05: Equipment purchase and services agreement by and between Willo Co. Inc. and Cascade County. This agreement is for the purchase and replacement of twelve (12) locks in J-Pod and the Cascade County Detention Center with a total cost of \$49,830. **11:05**

Contract 21-06: Temporary Construction Agreement for DAR2020 between Cascade County and Neuman Land and Livestock Inc. This grants the exclusive right to perform construction activities necessary to construct an energy dissipator for culvert on Gordon Road near Mile Post (M.P.) 0.43 *this is a correction from 043 as reflected in the agenda.* **11:20**

CITY/COUNTY HEALTH DEPARTMENT

Contract 21-01: MT DPHHS Contract Amendment #3 for HIV Prevention Services #18-07-4-51-003-0 effective amended date of January 1, 2021 - December 31, 2021 additional funding of \$36,640. **11:35**

Contract 21-02: Memorandum of Agreement between the Little Shell Tribe of Chippewa Indians and CCHD to facilitate the implementation and execution of the Tribe's COVID-19 Vaccination Plan effective one year (1) from the date of signing. **12:03**
Motion carries 3-0 13:10

Public Comment on any public matter that is not on the meeting agenda, and that is within the Commissioners' jurisdiction. (MCA 2-3-103) None

Closing Comments: Madam Chair Weber took this time to read her prepared final remarks. **13:26-21:52 (see Exhibit "A")**

Adjournment: Madam Chair Weber adjourned this Commission Meeting at **9:52 a.m.**

January 26, 2021

Agenda #1

Agenda Action Report *Prepared for the* Cascade County Commission

ITEM:

Ordinance 21-01: (2nd Reading)

An Ordinance establishing procedure in Cascade County for selection of the presiding officer of the Cascade County Board of Commissioners.

PRESENTED BY:

Joe Briggs, Cascade County Commissioner

ACTION REQUESTED:

Approve: Ordinance 21-01

BACKGROUND:

Pursuant to MCA Section 7-3-401, Cascade County has an elected commission form of government. Further, pursuant to MCA Section 7-3-111, Cascade County is required as an elected form of government to follow MCA Section 7-3-414 in electing a Presiding Officer of its Board of County Commissioners. MCA Section 7-3-414 also states that the members of the commission must select a presiding officer in one of three ways, which includes being elected by the members of the commission for a term established by ordinance and selection as provided by ordinance.

The Board of Cascade County Commissioners adopted Ordinance 09-01 in 2009 which provided that the Commission will hold an election to select a Presiding Officer at its first meeting in odd-numbered years, and that the Presiding Officers' term shall be two (2) years.

In January of 2012, the commission passed Ordinance 12-01 which rescinded Ordinance 09-01 and established a pattern whereby the presiding officer term was shortened to a single year and the position of presiding officer rotated every January with the Commissioner serving in the 3rd and 6th year of their term being the presiding officer.

This annual turnover creates confusion with our granting and other governmental partners as documents created by these partners often cite the wrong presiding officer. Additionally, since the presiding officer is also deemed to be the certifying environmental officer, the annual turnover causes many projects to require a change of environmental certifying officer to occur in mid project when the presiding officer is changed in January.

The Commission would like to adopt a process whereby each member of the Commission will serve as Presiding Officer during the fifth and sixth year of their term of office. It is also the sense of the Commission that if this procedure cannot be followed because of shortened terms, the members of the commission will elect a member from their own number for a one-year term.

This ordinance change would retain the automatic rotation of the commissioners through the presiding officer position but would minimize the disruptive effects of changing the presiding officer every year by extending the term back to two years as it was prior to 2012.

It would also allow newly elected commissioners an opportunity to work within the system for four years under normal situations prior to being required to assume the presiding officer position.

This is of particular importance given the resignation of Commissioner Weber. Her replacement would, under a strict interpretation of the existing ordinance immediately become presiding officer following their appointment to the commission. The change in ordinance would even under this midterm resignation scenario allow the new Commissioner two years of experience prior to becoming the presiding officer.

RECOMMENDATION:

It is recommended the Cascade County Commission approve Ordinance 21-01.

TWO MOTIONS PROVIDED FOR CONSIDERATION:

MOTION TO APPROVE:

Mr. Chair, I move the Cascade County Commission **APPROVE** Ordinance 21-01, an Ordinance establishing procedure in Cascade County for selection of the presiding officer of the Cascade County Board of Commissioners.

MOTION TO DISAPPROVE:

Mr. Chair, I move the Cascade County Commission **DISAPPROVE** Ordinance 21-01, an Ordinance establishing procedure in Cascade County for selection of the presiding officer of the Cascade County Board of Commissioners."

**BEFORE THE BOARD OF COMMISSIONERS
CASCADE COUNTY, MONTANA**

ORDINANCE 21-01

**AN ORDINANCE ESTABLISHING PROCEDURE IN CASCADE COUNTY
FOR SELECTION OF THE PRESIDING OFFICER OF THE
CASCADE COUNTY BOARD OF COMMISSIONERS**

WHEREAS, pursuant to MCA Section 7-3-401, Cascade County has an elected commission form of government, and

WHEREAS, under MCA Section 7-3-111, Cascade County is required as an elected form of government to follow MCA Section 7-3-414(1) in electing a Presiding Officer of its Board of County Commissioners, and

WHEREAS, MCA Section 7-3-414(1) states that the members of the commission must select a presiding officer in one of three ways, and

WHEREAS, County Ordinance 12-01, R0247337 provides a process whereby each member of the Commission will serve as Presiding Officer during the third and sixth year of their term of office, and

WHEREAS, the current annual rotation creates some issues with the grant cycle and also disrupts the timing of the Chairman serving on the Policy Coordination Committee of the Metro Transportation District, and

WHEREAS, the Commission would like to adopt a process whereby each member of the Commission will serve as Presiding Officer during the fifth and sixth year of their term of office. It is also the desire of the Commission that if this procedure cannot be followed because of shortened terms, the members of the commission will elect a member from their own number for a one-year term.

WHEREAS, County Ordinance 12-01, R0247337 describes a rotation of presiding officer which conflicts with this proposed ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSION
OF CASCADE COUNTY, STATE OF MONTANA:**

The Cascade County Ordinance 12-01, R0247337 is hereby rescinded and replaced by this ordinance.

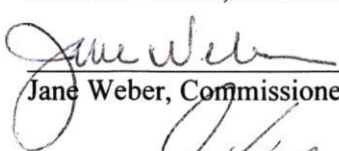
That each member of the Commission will serve as the Presiding Officer during the fifth and sixth year of their term of office. If this procedure cannot be followed because of shortened terms, the members of the commission will elect a member from their own number for a one-year term.

Passed on first reading this 22nd day of December, 2020 by the Board of Cascade County Commissioners, Cascade County, State of Montana.

**BOARD OF COUNTY COMMISSIONERS
CASCADE COUNTY**



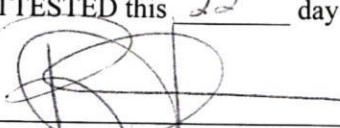
James L. Larson, Chairman

 *opposed*

Jane Weber, Commissioner


Joe Briggs, Commissioner

ATTESTED this 22 day of Dec, 2020


Rina Fontana Moore, Cascade County Clerk & Recorder



Passed on the second and final reading this 26th day of January, 2021 by the Board of Cascade County Commissioners, Cascade County, State of Montana.

**BOARD OF COUNTY COMMISSIONERS
CASCADE COUNTY, MT**

James L. Lauson, Chairman

Jane Weber, Commissioner

Joe Briggs, Commissioner

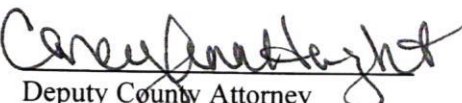
Attest

On this _____ day of _____, 2020, I hereby attest the above-written signatures of the Board of Cascade County Commissioners.

Rina Fontana Moore, Cascade County Clerk & Recorder

* APPROVED AS TO FORM:

Josh Racki, County Attorney


Deputy County Attorney

* THE COUNTY ATTORNEY HAS PROVIDED ADVICE AND APPROVAL OF THE FOREGOING DOCUMENT LANGUAGE ON BEHALF OF THE BOARD OF CASCADE COUNTY COMMISSIONERS, AND NOT ON BEHALF OF OTHER PARTIES OR ENTITIES. REVIEW AND APPROVAL OF THIS DOCUMENT BY THE COUNTY ATTORNEY WAS CONDUCTED SOLELY FROM A LEGAL PERSPECTIVE AND FOR THE EXCLUSIVE BENEFIT OF CASCADE COUNTY. OTHER PARTIES SHOULD NOT RELY ON THIS APPROVAL AND SHOULD SEEK REVIEW AND APPROVAL BY THEIR OWN RESPECTIVE COUNSEL.

**AN ORDINANCE ESTABLISHING PROCEDURE IN CASCADE COUNTY FOR
SELECTION OF THE PRESIDING OFFICER OF THE CASCADE COUNTY
BOARD OF COMMISSIONERS**

WHEREAS, pursuant to MCA Section 7-3-401, Cascade County has an elected commission form of government, and

WHEREAS, under MCA Section 7-3-111, Cascade County is requires as an elected form of government to follow MCA Section 7-3-414(1) in electing a Presiding Officer of its Board of County Commissioners, and

WHEREAS, MCA Section 7-3-414(1) states that the members of the commission must select a presiding officer in one of three ways, and

WHEREAS, County Ordinance 09-01 states that the Commission will hold an election to select a Presiding Officer at its first meeting in odd-numbered years, and that the Presiding Officers' term shall be two (2) years, and

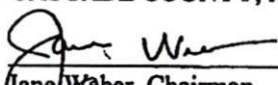
WHEREAS, the Commission would like to adopt a process whereby each member of the Commission will serve as Presiding Officer during the third and sixth year of their term of office. It is also the sense of the Commission that if this procedure cannot be followed because of shortened terms, the members of the commission will elect a member from their own number for a one-year term.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSIONERS OF CASCADE COUNTY, STATE OF MONTANA:


That each member of the Commission will serve as the Presiding Officer during the third and sixth year of their term of office. If this procedure cannot be followed because of shortened terms, the members of the commission will elect a member from their own number for a one-year term.

PASSED on first reading this 10th day of January 2012, by the Board of County Commissioners, Cascade County, State of Montana.

BOARD OF COUNTY COMMISSIONERS,
CASCADE COUNTY, MONTANA

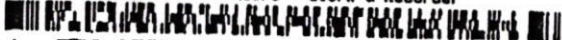

Jane Weber, Chairman


Joe Briggs, Commissioner


Bill Salina, Commissioner

R0247337 OR

Total Pages: 2 R 0.00 By: mdailey 02/09/2012 01:33:32 PM
Cascade County, Rina Ft Moore - Clerk & Recorder



ORDINANCE 12-01

Attest

On this 13th day of Jan 2012, I hereby attest the above-written signatures of the Board of Cascade County Commissioners.

Rina Fontana Moore
Rina Fontana Moore
Cascade County Clerk and Recorder

PASSED on second and final reading this 1th day of February 2012, by the Board of County Commissioners, Cascade County, State of Montana.

Jane Weber
Jane Weber, Chairman

Joe Briggs
Joe Briggs, Commissioner

Bill Salina
Bill Salina, Commissioner

Attest

On this 8th day of February 2012, I hereby attest the above-written signatures of the Board of Cascade County Commissioners.

Rina Fontana Moore
Rina Fontana Moore
Cascade County Clerk and Recorder

Agenda Action Report
Prepared for the
Cascade County Commission

ITEM: **An Ordinance Prohibiting the Carrying and Possession of Weapons of Weapon Under Certain Circumstances, Pursuant to MCA § 45-8-351 (2019)**

INITIATED AND PRESENTED BY: **Carey Ann Haight, Deputy County Attorney**

ACTION REQUESTED: **Approval of Ordinance 21-02**

BACKGROUND:

In Montana, a simple majority is required in both chambers of the state legislature to place a legislatively referred state statute on the ballot.

This measure was introduced as House Bill 357 on January 25, 2019, by Representatives Matt Regier (R-4) and Derek Skees (R-11). On February 21, 2019, the House passed the bill in a vote of 56 to 43, largely along party lines. The measure passed in the Senate on April 2, 2019, by a vote of 28 to 21.

This legislatively referred statute was designed to be sent to voters if Montana's Democratic governor, Steve Bullock, vetoed House Bill 325, an identical bill. Bullock vetoed House Bill 325 on May 3, 2019. Section 5 of Article III of the Montana Constitution, along with Montana Code 5-4-301, provides that the governor cannot veto legislatively referred state statutes or stop them from appearing on the ballot.

LR-130 was approved by the voters in November and becomes effective on January 1, 2021. It generally restricts a county, city, town, consolidated local government, or other local government unit's authority to regulate the carrying of firearms. It removes a local government unit's power to regulate the carrying of permitted concealed weapons or to restrict the carrying of unconcealed firearms except in publicly owned and occupied buildings under the local government unit's jurisdiction. It repeals a local government unit's authority to prevent or suppress the possession of firearms by convicted felons, adjudicated mental incompetents, illegal aliens, and minors although federal and other state firearm restrictions remain unchanged, including for these individuals.

Local firearm ordinances that conflict with LR-130 cannot not be enforced. Consequently, the Cascade County Attorney's Office has prepared a revised weapons ordinance which is in compliance with LR-130 for adoption by the Board of Cascade County Commissioners, which will also supersede and replace previous Cascade County weapons Resolutions 95-22 and 95-22A as well as Ordinance 3.

Ordinance 3 prohibits the carrying of concealed and unconcealed weapons to, at or on the following places and premises:

- a) Any public assembly located within Cascade County, including but not limited to formal judicial proceedings;
- b) Any park under the jurisdiction of Cascade County; and
- c) Any school within Cascade County.

Agenda Action Report

(continued)

It also prohibits the possession of a firearm by persons adjudicated mental incompetents and illegal aliens.

As LR-130 no longer authorized local governments to restrict such activities and persons, concealed and unconcealed weapons in public assemblies, parks, and schools and the possession of firearms by convicted felons, adjudicated mental incompetents, illegal aliens, and minors may no longer be restricted by ordinance by the Board of Cascade County Commissioners.

RECOMMENDATION: Approval of Ordinance 21-20.

TWO MOTIONS PROVIDED FOR CONSIDERATION:

MOTION TO APPROVE:

Mr. Chair, I move that the Commission **APPROVE** Ordinance 21-20, an Ordinance Prohibiting the carrying and possession of weapons under certain circumstances, pursuant to MCA § 45-8-351 (2019).

MOTION TO DISAPPROVE:

Mr. Chair, I move that the Commission **DISAPPROVE** Ordinance 21-20, an Ordinance Prohibiting the carrying and possession of weapons under certain circumstances, pursuant to MCA § 45-8-351 (2019).

**BEFORE THE BOARD OF COMMISSIONERS
CASCADE COUNTY, MONTANA**

ORDINANCE 21-02

**IN THE MATTER OF ENACTING AN ORDINANCE PROHIBITING
THE CARRYING AND POSSESSION OF WEAPONS UNDER CERTAIN
CIRCUMSTANCES, PURSUANT TO MCA § 45-8-351 (2019)**

WHEREAS, in the interest of public safety, the Board of Cascade County Commissioners has previously passed Ordinance No. 3, and Resolution Nos. 95-22, and 95-22A prohibiting and suppressing the carrying and possession of weapons, pursuant to Mont. Code Ann. § 45-8-351 (1993); and of the carrying of a concealed or unconcealed weapon to, at, or on the premises of certain enumerated locations within Cascade County;

WHEREAS, Mont. Code Ann. § 7-5-103(3) (2019), requires that, prior to enactment, all country ordinances must be read and adopted by a majority vote of members present at two (2) meetings of the board of County Commissioners, not less than 12 days apart;

WHEREAS, Mont. Code Ann. § 7-5-109(1) (2019), authorizes Cascade County to fix a penalty for the violation of an ordinance in the form of a fine that does not exceed \$500.00, imprisonment in the county jail for a period not to exceed 6 months, or both;

WHEREAS, the Board of Cascade County Commissioners concurs with the opinions of the Cascade County Sheriff and the Cascade County Attorney that a misdemeanor penalty is necessary to ensure adequate enforcement of this ordinance;

WHEREAS, due to the recent passage of Montana LR-130, it is necessary for the Board of Cascade County Commissioners to pass the within Ordinance which shall supplant, replace and supersede Cascade County Ordinance No.3 and Resolutions 95-22 and 95-22A;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Cascade County Commissioners that the Board hereby enacts the following ordinance, pursuant to Mont. Code Ann. §§ 45-8-351, 7-5-103, and 7-5-109 (2019), et seq., (2019), and as such statutes may hereafter be amended:

- (1) Cascade County Ordinance #3, Resolutions 95-22 and 95-22A are hereby rescinded and replaced by this Ordinance.
- (2) Pursuant to Mont. Code Ann. § 45-8-351 (2) (2019), and except as provided by Mont. Code Ann. § 45-8-317 (2019), the carrying of unpermitted concealed weapons or carrying of unconcealed weapon in the following places is hereby prohibited:
 - a) Any publicly owned and occupied building under Cascade County jurisdiction, including but not limited to the Cascade County Courthouse, Cascade County Courthouse Annex, Executive Plaza, Health Department and ExpoPark facilities;
- (3) For purposes of this ordinance, the term "weapon" shall mean any firearm; electronic stun-gun; dirk; dagger; slingshot; sword cane; billy; knuckles made of any metal or hard substance; knife having a blade 4 inches or longer; razor, not including a safety razor; or any other "weapon," as currently defined by Mont. Code Ann. § 45-2-101 (79) (2019, and as such statute may hereafter be amended;

ORDINANCE 21-02

- (4) For purposes of this ordinance, the term "firearm" shall include, but is not limited to, any gun, rifle, pistol, shotgun, handgun, or other similar device designed or used to propel a projectile by the use of burnt powder or other chemical means;
- (5) For purposes of this ordinance, the term "concealed weapon" shall have the same definition as set forth in Mont. Code Ann. § 45-8-315 (2019), and as such statute may hereafter be amended;
- (6) For purposes of this ordinance, the term "unpermitted" shall mean (1) a person who has not been granted a permit to carry a concealed weapon as set forth in Mont. Code Ann. § 45-8-321; (2) a person who does not qualify under the exceptions set forth in Mont. Code Ann. § 45-8-317 (2019); or (3) a person who does not have a permit from another State recognized as a valid permit to carry a concealed weapon in Cascade County as set forth in Mont. Code Ann. § 45-8-329 (2019), and as such statutes may hereafter be amended;
- (7) A person convicted of violating this ordinance shall be punishable by a fine in an amount not to exceed \$500.00, or be imprisoned in the county jail for a period not to exceed 6 months, or both.

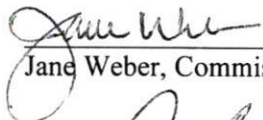
FURTHER, IT IS HEREBY RESOLVED that, pursuant to Mont. Code Ann. § 7-5-103 (1) (2019) the above-enacted ordinance shall be effective thirty (30) days from the date of the second reading and final adoption of this ordinance.

Passed on first reading this **22nd** day of **December, 2020** by the Board of Cascade County Commissioners, Cascade County, State of Montana.

**BOARD OF COUNTY COMMISSIONERS,
CASCADE COUNTY, MT**



James L. Larson, Chairman

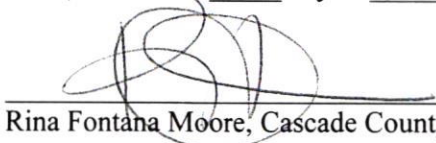


Jane Weber, Commissioner



Joe Briggs, Commissioner

ATTESTED this 22 day of December, 2020



Rina Fontana Moore, Cascade County Clerk & Recorder



ORDINANCE 21-02

Passed on the second and final reading this ____ day of _____, 2021 by the Board of Cascade County Commissioners, Cascade County, State of Montana.

**BOARD OF COUNTY COMMISSIONERS,
CASCADE COUNTY, MT**

James L. Larson, Chairman

Jane Weber, Commissioner

Joe Briggs, Commissioner

ATTESTED this 22 day of Dec, 2021

Rina Fontana Moore, Cascade County Clerk & Recorder

*** APPROVED AS TO FORM:**

Josh Racki, County Attorney

DEPUTY COUNTY ATTORNEY



* THE COUNTY ATTORNEY HAS PROVIDED ADVICE AND APPROVAL OF THE FOREGOING DOCUMENT LANGUAGE ON BEHALF OF THE BOARD OF CASCADE COUNTY COMMISSIONERS, AND NOT ON BEHALF OF OTHER PARTIES OR ENTITIES. REVIEW AND APPROVAL OF THIS DOCUMENT BY THE COUNTY ATTORNEY WAS CONDUCTED SOLELY FROM A LEGAL PERSPECTIVE AND FOR THE EXCLUSIVE BENEFIT OF CASCADE COUNTY. OTHER PARTIES SHOULD NOT RELY ON THIS APPROVAL AND SHOULD SEEK REVIEW AND APPROVAL BY THEIR OWN RESPECTIVE COUNSEL.

January 26, 2021

Agenda #3

Agenda Action Report
Prepared for the
Cascade County Commission

ITEM	Resolution 21-03: Conduct a Public Hearing for action on a petition to discontinue two (2) alley ways and one (1) street
INITIATED BY	Christopher Skinner
PRESENTED BY	Anna Ehnes; Planning Department
ACTION REQUESTED	Approval of Resolution 21-03

BACKGROUND:

Christopher Skinner has petitioned the Cascade County Commission to discontinue two (2) alley ways and one (1) street within the platted subdivision, Plat of Largent and Strong East Addition to Sun River, located in Section 34, Township 21N, Range 01W, P.M.M., Cascade County, MT, known as the alley running East to West through Block 3 approximately 495 feet long and 20 feet wide, between platted Main Street and Carroll Street, the alley running East to West through Block 4 approximately 550 feet long and 20 feet wide, between platted Carroll Street and Strong Street, and the street platted as Carroll Street approximately 500 feet long and 60 feet wide. The Plat of Largent and Strong East Addition to Sun River was platted in 1884. On Monday, December 21, 2020, at 12:30 PM, Commissioner Weber and Planning Staff visited the alleys and street proposed to be discontinued.

Staff recommends the discontinuance of the two (2) alley ways and one (1) street within the platted subdivision, Plat of Largent and Strong East Addition to Sun River, located in Section 34, Township 21N, Range 01W P.M.M Cascade County, MT. The current condition of the alley ways and street are undeveloped.

As required by MCA §§ 7-14-2601 through 7-14-2622, a petition signed by the adjacent property owners has been received and certified by the Cascade County Clerk and Recorder on December 16, 2020 (attached). The discontinuance of the two (2) alleys and one (1) street will not inhibit access to any property, the provision of emergency services to any property, and does not provide access to state lands. The Public Works Road & Bridge Division Superintendent has no concerns with the proposed discontinuations. There are no utilities that will be impacted by the proposed discontinuations.

Legal notice of the Public Hearing was published in the Great Falls Tribune on January 17, 2021 and January 24, 2021. Legal notice was sent to adjacent property owners on January 12, 2021.

RECOMMENDATION: The Cascade County Planning Department, after reviewing the petition to discontinue said alley running East to West through Block 3 approximately 495 feet long and 20 feet wide, between platted Main Street and Carroll Street, the alley running East to West through Block 4 approximately 550 feet long and 20 feet wide, between platted Carroll Street and Strong Street, and the street platted as Carroll Street approximately 500 feet long and 60 feet wide be discontinued, recommend that the Commissioners APPROVE Resolution 21-03.

TWO MOTIONS PROVIDED FOR CONSIDERATION

MOTION TO DISAPPROVE:

Mr. Chair, I move that the Commissioners **DISAPPROVE** Resolution 21-03, discontinuing the alley running East to West through Block 3 approximately 495 feet long and 20 feet wide, between platted Main Street and Carroll Street, the alley running East to West through Block 4 approximately 550 feet long and 20 feet wide, between platted Carroll Street and Strong Street, and the street platted as Carroll Street approximately 500 feet long and 60 feet wide be discontinued. The alleys and street described above are platted rights-of-way within the subdivision known as the Plat of Largent and Strong East Addition to Sun River, located in Section 34, Township 21N, Range 01W, P.M.M., Cascade County, MT., as described within this report, and as identified by the map.

MOTION TO APPROVE:

Mr. Chair, I move that the Commissioners **APPROVE** Resolution 21-03, discontinuing the alley running East to West through Block 3 approximately 495 feet long and 20 feet wide, between platted Main Street and Carroll Street, the alley running East to West through Block 4 approximately 550 feet long and 20 feet wide, between platted Carroll Street and Strong Street, and the street platted as Carroll Street approximately 500 feet long and 60 feet wide be discontinued. The alleys and street described above are platted rights-of-way within the subdivision known as the Plat of Largent and Strong East Addition to Sun River, located in Section 34, Township 21N, Range 01W, P.M.M., Cascade County, MT., as described within this report, and as identified by the map, subject to the following conditions:

1. The discontinued roads revert to the ownership of the adjacent property owner, with the concurrence of said property owner, and
2. The petitioner causes to be filed a survey delineating the boundaries of the affected property within six (6) months of the date of the resolution to discontinue said portion of road.

ATTACHMENTS:

Resolution #21-03

Map of portion to be discontinued

Highlighted Plat of Largent and Strong East Addition to Sun River

Application

Clerk and Recorder's Certification

IN THE MATTER TO DISCONTINUE TWO (2) ALLEY WAYS AND ONE (1) STREET WITHIN THE SUBDIVISION, PLAT OF LARGENT AND STRONG EAST ADDITION TO SUN RIVER, LOCATED IN SECTION 34, TOWNSHIP 21N, RANGE 01W P.M.M CASCADE COUNTY, MT. KNOWN AS THE ALLEY RUNNING EAST TO WEST THROUGH BLOCK 3 APPROXIMATELY 495 FEET LONG AND 20 FEET WIDE, BETWEEN PLATTED MAIN STREET AND CARROLL STREET, THE ALLEY RUNNING EAST TO WEST THROUGH BLOCK 4 APPROXIMATELY 550 FEET LONG AND 20 FEET WIDE, BETWEEN PLATTED CARROLL STREET AND STRONG STREET, AND THE STREET PLATTED AS CARROLL STREET APPROXIMATELY 500 FEET LONG AND 60 FEET WIDE.

WHEREAS, pursuant to Montana Code Annotated ("MCA") § 7-14-2616(1), the Board of Cascade County Commissioners may discontinue a street or alley or any part of a street or alley in an unincorporated town or town site upon the petition in writing of all owners of lots on the street or alley if it can be done without detriment to the public interest; and

WHEREAS, pursuant to MCA §§ 7-14-2601 through 7-14-2622, a legal petition has been signed and submitted by all owners of lots adjacent to proposed discontinuation; and

WHEREAS, said streets and alleys do not provide exclusive access to state or private lands; and

WHEREAS, the discontinuation of said streets and alleys shall not affect the right of any public utility to continue to maintain its plant and equipment; and

WHEREAS, upon receipt of said petition, the County did cause to be published a legal notice of a Public Hearing in the Great Falls Tribune pursuant to the statutory requirements of MCA § 7-1-2121; and

WHEREAS, site has been inspected by at least one (1) County Commissioner prior to final action by the County Commission; and

WHEREAS, the Board of Cascade County Commissioners held a public hearing on January 26, 2021; and

WHEREAS, there were no protests to the proposed discontinuation.

NOW, THEREFORE BE IT RESOLVED by the Board of Cascade County Commissioners to discontinue the two (2) alley ways and one (1) street within the subdivision, Plat of Largent and Strong East Addition to Sun River, located in Section 34, Township 21 North, Range 01 West, P.M.M., Cascade County, MT, known as the alley running East to West through Block 3 approximately 495 feet long and 20 feet wide, between platted Main Street and Carroll Street, the alley running East to West through Block 4 approximately 550 feet long and 20 feet wide, between platted Carroll Street and Strong Street, and the street platted as Carroll Street approximately 500 feet long and 60 feet wide.

Passed and adopted at the Commission Hearing held on this 26th day of January, 2021.

BOARD OF COUNTY COMMISSIONERS
CASCADE COUNTY, MONTANA

Attest:

Joe Briggs, Chair

Rina Ft Moore, Clerk and Recorder

James L. Larson, Commissioner

Commissioner

* APPROVED AS TO FORM:
Josh Racki, County Attorney

DEPUTY COUNTY ATTORNEY





* THE COUNTY ATTORNEY HAS PROVIDED ADVICE AND APPROVAL OF THE FOREGOING DOCUMENT LANGUAGE ON BEHALF OF THE BOARD OF CASCADE COUNTY COMMISSIONERS, AND NOT ON BEHALF OF OTHER PARTIES OR ENTITIES. REVIEW AND APPROVAL OF THIS DOCUMENT BY THE COUNTY ATTORNEY WAS CONDUCTED SOLELY FROM A LEGAL PERSPECTIVE AND FOR THE EXCLUSIVE BENEFIT OF CASCADE COUNTY. OTHER PARTIES SHOULD NOT RELY ON THIS APPROVAL AND SHOULD SEEK REVIEW AND APPROVAL BY THEIR OWN RESPECTIVE COUNSEL.



The geographical representation of this map and/or drawing is provided for informational purposes only and should be used for **Reference Only**. Any information represented here is **not** guaranteed to be accurate or current. No reliance on angles, distances, area sizes or other land survey data should be assumed without verification by the user. Neither Cascade County nor the Cascade County GIS Division accepts any responsibility for errors or omissions. This document may not be reproduced, edited, or otherwise altered in any way without advanced permission of the Cascade County GIS Division or Cascade County Commission.



Legend

-  CascadeCntyParcels
-  CascadeCntyStructures
-  StateOnlyRoads
-  Alleys & Road to be Abandoned

SECRETARY OF THE ARMY
WASHINGTON, D.C. 20315

OFFICE OF THE SECRETARY
OF THE ARMY

PROBATION

147
The following information was received from the
Department of the Army, Office of the Secretary,
Washington, D.C. 20315, on 10/10/68.
The Department of the Army, Office of the Secretary,
Washington, D.C. 20315, is currently conducting
an investigation into the activities of the
Department of the Army, Office of the Secretary,
Washington, D.C. 20315, and is seeking information
regarding the activities of the Department of the Army,
Office of the Secretary, Washington, D.C. 20315.
The Department of the Army, Office of the Secretary,
Washington, D.C. 20315, is currently conducting
an investigation into the activities of the
Department of the Army, Office of the Secretary,
Washington, D.C. 20315, and is seeking information
regarding the activities of the Department of the Army,
Office of the Secretary, Washington, D.C. 20315.

Scale 100 ft to 1 in



Acknowledgement
As we know the importance of the
largest natural storage reservoir on the
East Addition to our first investment in
the town library, the same Treasury and
Secured as follows on page

[illegible]

Y^{rs} M^{rs} Gargant
Academy of St. George

[illegible]

Township of Jefferson
 County of Jefferson, Mo. } ss.
 I, John M. Marshall, County Surveyor
 of said County, do hereby certify that
 the following is the true and correct
 copy of the Plat of the
 Township of Jefferson, Mo. as the same
 was laid out and surveyed by me
 on the 21st day of May, 1857.
 In testimony whereof, I have hereunto
 set my hand and the seal of said
 County, at Jefferson, Mo., this 21st day
 of May, 1857.
 John M. Marshall, County Surveyor

My mother
 deceased
 January 2nd 1884
 to father and
 Mary 11 day 82
 Lansing S. Hall.
 Factory Historic

Filed and Recorded
January 12th 1884
John J. Humphrey
County Recorder

Experiments of 1911, 1912, 1913, 1914	Experiments of 1915, 1916, 1917, 1918	Experiments of 1919, 1920, 1921, 1922	Experiments of 1923, 1924, 1925, 1926	Experiments of 1927, 1928, 1929, 1930	Experiments of 1931, 1932, 1933, 1934	Experiments of 1935, 1936, 1937, 1938	Experiments of 1939, 1940, 1941, 1942	Experiments of 1943, 1944, 1945, 1946	Experiments of 1947, 1948, 1949, 1950	Experiments of 1951, 1952, 1953, 1954	Experiments of 1955, 1956, 1957, 1958	Experiments of 1959, 1960, 1961, 1962	Experiments of 1963, 1964, 1965, 1966	Experiments of 1967, 1968, 1969, 1970	Experiments of 1971, 1972, 1973, 1974	Experiments of 1975, 1976, 1977, 1978	Experiments of 1979, 1980, 1981, 1982	Experiments of 1983, 1984, 1985, 1986	Experiments of 1987, 1988, 1989, 1990	Experiments of 1991, 1992, 1993, 1994	Experiments of 1995, 1996, 1997, 1998	Experiments of 1999, 2000, 2001, 2002	Experiments of 2003, 2004, 2005, 2006	Experiments of 2007, 2008, 2009, 2010	Experiments of 2011, 2012, 2013, 2014	Experiments of 2015, 2016, 2017, 2018	Experiments of 2019, 2020, 2021, 2022	Experiments of 2023, 2024, 2025, 2026	Experiments of 2027, 2028, 2029, 2030
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30



Petition to Discontinue a County Street or Alley in an Unincorporated Town or Townsite

Cascade County Planning Department
121 4th St No, STE 2H/I, Great Falls MT 59401
Phone: 406-454-6905 Fax: 406-454-6919

\$150.00 Non Refundable Application Fee

Payment: Check (#) 1130 Cash

FOR OFFICE USE ONLY

Date Application Received: 11/05/2020

Application No: RA 2020-006

County Commission Hearing Date: _____ Action: _____

Applicant/Owner: Christopher Skinner Mailing Address: 13848 M+Hw 200 Sun River
MT. 59483

Home Phone: _____ Work Phone: _____ Cell Phone: 406-899-3440

1. Fill out the attached petition and submit to the Planning Office.

The Petitioners must:

- a. Obtain the signature of all adjacent property owners;
 - b. Name the road and describe the section to be established, altered or abandoned;
 - c. List all property owners affected;
 - d. Determine whether the adjacent owners can be found to consent thereto;
 - e. Present the necessity for and advantage of the petition action;
 - f. Include all necessary maps, plats, surveys, or other documents that will assist the Board in evaluating the petition
2. Within thirty (30) days of receiving the petition, the Board of County Commissioners shall cause an investigation of the petition to begin.
 3. A certificate of survey may be required by a competent surveyor, covering the subject property, prior to the filing of the resolution discontinuing the county street or alley (7-14-2606 M.C.A.). If the certificate of survey is not filed within six (6) months of the date of the resolution, the county will take action to revoke the resolution.
 4. Before acting on the petition, the Board of County Commissioners shall publish a notice of a public hearing in the local newspaper at least one (1) week before the petition is acted upon. (7-1-2121 M.C.A.)
 5. After considering the petition and the results of the investigation, the Board shall make an entry or resolution of its decision and particularly describing the affected road. (7-14-2604 M.C.A.)
 - a. Within ten (10) days of the Board's decision, the Board shall notify by certified mail, all owners of land abutting on the road petitioned of their decision.
 - b. The owners shall be those listed on the last county assessment roll.

Petition to Discontinue a County Street or Alley in an Unincorporated Town or Townsite

Date: 11-5-20

To The Honorable Board of County Commissioners of Cascade County:

We, The Undersigned, in compliance with Section 7-14-2616 M.C.A. and being residents, do hereby petition the Honorable Board to discontinue the following described Street or Alley:

Name of Street or Alley: These Alley ways have no names.

Description of Cascade County Street or Alley to be abandoned:

These Alley ways are located between
Geocodes: 02-3135-34-1-06-35-0000, 02-3135-34-1-04-34-0000,
02-3135-34-1-04-43-0000, 02-3135-34-1-04-01-0000,
02-3135-34-1-04-45-0000 and 02-3135-34-1-04-23-0000

Petition – Consent Adjacent Property Owners

We, the undersigned property owners, by this petition, do hereby consent to the discontinuation of the above described street or alley:

Name	Address
1. <u>Christopher Skinner</u>	<u>13848 Mt Hwy 200</u> <u>San River, Mt. 59483</u>
Signature: <u>[Signature]</u>	
2.	
Signature:	

Name	Address
3.	
Signature:	
4.	
Signature:	
5.	
Signature:	
6.	
Signature:	
7.	
Signature:	
8.	
Signature:	
9.	
Signature:	
10.	
Signature:	
11.	
Signature:	

To the Cascade County Planning Department and Board of County Commissioners,

I, Christopher Lanceing Skinner would like to Petition to Discontinue a County Street or Alley in an Unincorporated Town or Townsite.

All alley ways in question are located between Geocode: 02-3135-34-1-06-35-0000, Geocode: 02-3135-34-1-04-34-0000, Geocode: 02-3135-34-1-04-43-0000, Geocode: 02-3135-34-1-04-01-000, Geocode: 02-3135-34-1-04-45-0000 and Geocode: 02-3135-34-1-04-23-0000. These alley ways have no known name and have been abandoned since their creation as far as I can tell.

As of November 5th I am the sole property owner bordering these abandoned alleys. Sunrise Financial Group LLC previously owned parcels 6029500, 6029600, 6029700 and 6029800.

It has recently been brought to my attention by the Cascade County Sheriff's Department that under the letter of the law this alley is a public access because it was originally planned and designed to be an alley or street. However All three lots that I own have been fenced in as one piece of property for the last hundred years. Not only that but the original well for the property and part of the garage outbuilding that were built at the turn of the last century, partially lay within this so called alley way. These imaginary alleys also contains cross fences, new fencing, a fire pit that includes my family's rec area and my fruit trees.

This issue was brought to my attention by the Sheriff's Department after my neighbor Joe Lee that lives directly across the river trespassed onto my property claiming he had the right to be on my property because of this imaginary alley way. When I told him he was trespassing he violently assaulted me and I was forced to call the cops. The responding deputies wanted to charge him with felony assault, felony trespassing and disturbing the peace. However I was given the option of not pressing charges and banning him for life from my property. I chose to ban him for life. Now the sheriff has informed me that this individual can now once again walk through this imaginary alley according to the letter of the law. This individual according to the Sheriff and the community has a long record of criminal activity that includes possible molestation, child endangerment and rape. He has at least 100' of river front access through his own land and there is absolutely no reason for him to be on my side of the river for access. I have recently obtained a restraining order against this individual to stop him from using these invisible alley ways.

This petition to discontinue this abandoned alley is absolutely necessary for my family's safety. I cannot imagine opening up my yard for the public to walk through. There is absolutely no reason to walk through my property to reach the river as you can simply walk along the river bank from the highway. There is also a state sponsored fishing access across the river from me. This would also cause a huge financial burden for me as I would have to move fences and install new fencing to contain my horses. The public would have access to my outbuildings and my well. I had no idea these alley ways were part of my properties at the time of purchase, and I doubt the previous owners new as well. Unfortunately the statute of limitation to pursue a lawsuit against previous owners or realtors is 3 years in Montana and I have passed this timeline.

I've poured my life savings into this property, I value my privacy and above all my family's safety. I do not feel safe letting random people walk through my property while my children play outside.

So yes I feel it is an absolute necessity for the County to discontinue this alley that never was.

Thank you for considering this Petition to Discontinue a County Street or Alley in an Unincorporated town or Townsite.

Christopher Lanceing Skinner



[Try Cadastral Beta](#)

[Print Button
workarounds](#)

Seller		Description	Borrower/Buyer	
Debit	Credit		Debit	Credit
		Recorder		
		Deed to Cascade County Clerk and Recorder	\$28.00	
		Deed to Cascade County Clerk and Recorder	\$28.00	
		Deed to Cascade County Clerk and Recorder	\$28.00	
		Miscellaneous		
\$205.38		2020 Taxes - 6029500 to Cascade County Treasurer		
\$162.25		2020 Taxes - 6029600 to Cascade County Treasurer		
\$84.34		2020 Taxes - 6029700 to Cascade County Treasurer		
\$189.29		2020 Taxes - 6029800 to Cascade County Treasurer		
Seller			Borrower/Buyer	
Debit	Credit		Debit	Credit
\$1,443.26	\$18,096.36	Subtotals	\$18,813.36	
		Due From Borrower		\$18,813.36
\$16,653.10		Due To Seller		
\$18,096.36	\$18,096.36	Totals	\$18,813.36	\$18,813.36

Acknowledgement

We/I have carefully reviewed the ALTA Settlement Statement and find it to be a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction and further certify that I have received a copy of the ALTA Settlement Statement. We/I authorize to cause the funds to be disbursed in accordance with this statement.

Sunrise Financial Group, LLC

Christopher L Skinner

Date

By

Date

Escrow Officer

Date

Property Record Card

Summary

Primary Information

Property Category: RP

Geocode: 02-3135-34-1-04-01-0000

Primary Owner:

SUNRISE FINANCIAL GROUP LLC

PO BOX 1952

GREAT FALLS, MT 59403-1952

NOTE: See the Owner tab for all owner information

Certificate of Survey:

Subdivision: LARGENT/STRONG ADD-SUN RIVER

Legal Description:

LARGENT/STRONG ADD-SUN RIVER, S34, T21 N, R01 W, BLOCK 004, Lot 023, LTS 23-39

Last Modified: 9/28/2020 6:23:36 PM

General Property Information

Neighborhood: 202.481

Property Type: IMP_U - Improved Property - Urban

Living Units: 0

Levy District: 02-0C25-55X

Zoning:

Ownership %: 100

Linked Property:

No linked properties exist for this property

Exemptions:

No exemptions exist for this property

Condo Ownership:

General: 0

Limited: 0

Property Factors

Topography:

Fronting:

Utilities:

Parking Type:

Access:

Parking Quantity:

Location:

Parking Proximity:

Land Summary

<u>Land Type</u>	<u>Acres</u>	<u>Value</u>
Grazing	0.000	00.00
Fallow	0.000	00.00
Irrigated	0.000	00.00
Continuous Crop	0.000	00.00
Wild Hay	0.000	00.00
Farmsite	0.000	00.00
ROW	0.000	00.00
NonQual Land	0.000	00.00
Total Ag Land	0.000	00.00
Total Forest Land	0.000	00.00
Total Market Land	1.210	9,680.00

Deed Information:

Deed Date	Book	Page	Recorded Date	Document Number	Document Type
10/19/2012			10/22/2012	R0262331	Tax Deed
4/21/2006	0001	24774			

1/18/2005	0000	97721		
9/8/1999	0325	00974		
4/1/1996	0280	00859		

Owners

Party #1

Default Information: SUNRISE FINANCIAL GROUP LLC
PO BOX 1952

Ownership %: 100

Primary Owner: "Yes"

Interest Type: Conversion

Last Modified: 8/27/2015 8:21:51 AM

Other Names

Other Addresses

Name

Type

Appraisals**Appraisal History**

Tax Year	Land Value	Building Value	Total Value	Method
2020	9680	0	9680	COST
2019	9680	0	9680	COST
2018	2057	0	2057	COST

Market Land

Market Land Item #1

Method: Acre**Type:** Residual**Width:****Depth:****Square Feet:** 00**Acres:** 1.21

Valuation

Class Code: 2101**Value:** 9680**Dwellings****Existing Dwellings**

No dwellings exist for this parcel

Other Buildings/Improvements

Outbuilding/Yard Improvements

No other buildings or yard improvements exist for this parcel

Commercial**Existing Commercial Buildings**

No commercial buildings exist for this parcel

Ag/Forest Land

Ag/Forest Land

Property Record Card

Summary

Primary Information

Property Category: RP

Subcategory: Residential Property

Geocode: 02-3135-34-1-04-23-0000

Assessment Code: 0006029800

Primary Owner:

PropertyAddress:

SUNRISE FINANCIAL GROUP LLC

PO BOX 1952

COS Parcel:

GREAT FALLS, MT 59403-1952

NOTE: See the Owner tab for all owner information

Certificate of Survey:

Subdivision: LARGENT/STRONG ADD-SUN RIVER

Legal Description:

LARGENT/STRONG ADD-SUN RIVER, S34, T21 N, R01 W, BLOCK 004, Lot 040, LTS 40-45

Last Modified: 9/28/2020 6:24:55 PM

General Property Information

Neighborhood: 202.481

Property Type: VAC_U - Vacant Land - Urban

Living Units: 0

Levy District: 02-0C25-55X

Zoning:

Ownership %: 100

Linked Property:

No linked properties exist for this property

Exemptions:

No exemptions exist for this property

Condo Ownership:

General: 0

Limited: 0

Property Factors

Topography:

Fronting:

Utilities:

Parking Type:

Access:

Parking Quantity:

Location:

Parking Proximity:

Land Summary

<u>Land Type</u>	<u>Acres</u>	<u>Value</u>
Grazing	0.000	00.00
Fallow	0.000	00.00
Irrigated	0.000	00.00
Continuous Crop	0.000	00.00
Wild Hay	0.000	00.00
Farmsite	0.000	00.00
ROW	0.000	00.00
NonQual Land	0.000	00.00
Total Ag Land	0.000	00.00
Total Forest Land	0.000	00.00
Total Market Land	0.430	21,746.00

Deed Information:

<u>Deed Date</u>	<u>Book</u>	<u>Page</u>	<u>Recorded Date</u>	<u>Document Number</u>	<u>Document Type</u>
10/19/2012			10/22/2012	R0262330	Tax Deed
4/21/2006	0001	24774			

1/18/2005	0000	97721			
9/8/1999	0325	00974			
4/1/1996	0280	00859			

Owners**Party #1**

Default Information: SUNRISE FINANCIAL GROUP LLC
PO BOX 1952

Ownership %: 100

Primary Owner: "Yes"

Interest Type: Conversion

Last Modified: 12/5/2012 8:08:54 AM

Other Names**Other Addresses****Name****Type****Appraisals****Appraisal History**

Tax Year	Land Value	Building Value	Total Value	Method
2020	21746	0	21746	COST
2019	21746	0	21746	COST
2018	19556	0	19556	COST

Market Land**Market Land Item #1**

Method: Sqft

Type: Primary Site

Width:

Depth:

Square Feet: 18,731

Acres:

Valuation

Class Code: 2101

Value: 21746

Dwellings**Existing Dwellings**

No dwellings exist for this parcel

Other Buildings/Improvements**Outbuilding/Yard Improvements**

No other buildings or yard improvements exist for this parcel

Commercial**Existing Commercial Buildings**

No commercial buildings exist for this parcel

Ag/Forest Land

Ag/Forest Land

Property Record Card

Summary

Primary Information

Property Category: RP

Geocode: 02-3135-34-1-04-45-0000

Primary Owner:

SUNRISE FINANCIAL GROUP LLC

PO BOX 1952

GREAT FALLS, MT 59403-1952

NOTE: See the Owner tab for all owner information

Certificate of Survey:

Subdivision: LARGENT/STRONG ADD-SUN RIVER

Legal Description:

LARGENT/STRONG ADD-SUN RIVER, S34, T21 N, R01 W, BLOCK 004, Lot 021, LTS 21-22

Last Modified: 9/28/2020 6:25:44 PM

General Property Information

Neighborhood: 202.481

Living Units: 0

Zoning:

Linked Property:

Property Type: VAC_U - Vacant Land - Urban

Levy District: 02-0C25-55X

Ownership %: 100

No linked properties exist for this property

Exemptions:

No exemptions exist for this property

Condo Ownership:

General: 0

Limited: 0

Property Factors

Topography:

Utilities:

Access:

Location:

Fronting:

Parking Type:

Parking Quantity:

Parking Proximity:

Land Summary

<u>Land Type</u>	<u>Acres</u>	<u>Value</u>
Grazing	0.000	00.00
Fallow	0.000	00.00
Irrigated	0.000	00.00
Continuous Crop	0.000	00.00
Wild Hay	0.000	00.00
Farmsite	0.000	00.00
ROW	0.000	00.00
NonQual Land	0.000	00.00
Total Ag Land	0.000	00.00
Total Forest Land	0.000	00.00
Total Market Land	0.080	18,697.00

Deed Information:

Deed Date	Book	Page	Recorded Date	Document Number	Document Type
10/19/2012			10/22/2012	R0262332	Tax Deed
4/21/2006	0001	24774			

1/18/2005	0000	97721			
9/8/1999	0325	00974			
4/1/1996	0280	00859			

Owners

Party #1

Default Information: SUNRISE FINANCIAL GROUP LLC
PO BOX 1952

Ownership %: 100

Primary Owner: "Yes"

Interest Type: Conversion

Last Modified: 8/27/2015 8:21:51 AM

Other Names

Other Addresses

Name

Type

Appraisals**Appraisal History**

Tax Year	Land Value	Building Value	Total Value	Method
2020	18697	0	18697	COST
2019	18697	0	18697	COST
2018	14220	0	14220	COST

Market Land

Market Land Item #1

Method: Sqft

Type: Primary Site

Width:

Depth:

Square Feet: 3,485

Acres:

Valuation

Class Code: 2101

Value: 18697

Dwellings**Existing Dwellings**

No dwellings exist for this parcel

Other Buildings/Improvements

Outbuilding/Yard Improvements

No other buildings or yard improvements exist for this parcel

Commercial**Existing Commercial Buildings**

No commercial buildings exist for this parcel

Ag/Forest Land

Ag/Forest Land

Property Record Card

Summary

Primary Information

Property Category: RP Subcategory: Residential Property
 Geocode: 02-3135-34-1-04-43-0000 Assessment Code: 0006029500
 Primary Owner: Property Address:
 SUNRISE FINANCIAL GROUP LLC
 PO BOX 1952 COS Parcel:
 GREAT FALLS, MT 59403-1952

NOTE: See the Owner tab for all owner information

Certificate of Survey:

Subdivision: LARGENT/STRONG ADD-SUN RIVER

Legal Description:

LARGENT/STRONG ADD-SUN RIVER, S34, T21 N, R01 W, BLOCK 004, Lot 012, LTS 12-20

Last Modified: 7/9/2020 12:06:05 AM

General Property Information

Neighborhood: 202.481 Property Type: VAC_U - Vacant Land - Urban
 Living Units: 0 Levy District: 02-0C25-55X
 Zoning: Ownership %: 100
 Linked Property:

No linked properties exist for this property

Exemptions:

No exemptions exist for this property

Condo Ownership:

General: 0 Limited: 0

Property Factors

Topography: 1 Fronting: 4 - Residential Street
 Utilities: 0 Parking Type:
 Access: 3 Parking Quantity:
 Location: 5 - Neighborhood or Spot Parking Proximity:

Land Summary

Land Type	Acres	Value
Grazing	0.000	00.00
Fallow	0.000	00.00
Irrigated	0.000	00.00
Continuous Crop	0.000	00.00
Wild Hay	0.000	00.00
Farmsite	0.000	00.00
ROW	0.000	00.00
NonQual Land	0.000	00.00
Total Ag Land	0.000	00.00
Total Forest Land	0.000	00.00
Total Market Land	0.650	23,663.00

Deed Information

Deed Date	Book	Page	Recorded Date	Document Number	Document Type
10/19/2012			10/22/2012	R0262333	Tax Deed
4/21/2006	0001	24774			
1/18/2005	0000	97721			

7/10/2020

PrintPropertyRecordCard

9/8/1999	0325	00974		
4/1/1996	0280	00859		

Owners

Property #1

Default Information: SUNRISE FINANCIAL GROUP LLC
PO BOX 1952
Ownership %: 100
Primary Owner: "Yes"
Interest Type: Conversion
Last Modified: 8/27/2015 8:21:51 AM

Other Names

Other Addresses

Name

Type

Appraisals

Appraisal History

Tax Year	Land Value	Building Value	Total Value	Method
2020	23663	0	23663	COST
2019	23663	0	23663	COST
2018	22910	0	22910	COST

Market Land

Market Land Item #1

Method: Sqft
Width:
Square Feet: 28,314
Valuation:
Class Code: 2101

Type: Primary Site
Depth:
Acres:
Value: 23663

Dwellings

Existing Dwellings

No dwellings exist for this parcel

Other Buildings/Improvements

Other Buildings/Yard Improvements

No other buildings or yard improvements exist for this parcel

Commercial

Existing Commercial Buildings

No commercial buildings exist for this parcel

Ag/Forest Land

Ag Forest Land

No ag/forest land exists for this parcel

Property Record Card

Summary

Primary Information

Property Category: RP

Geocode: 02-3135-34-1-06-36-0000

Primary Owner:

SKINNER CHRISTOPHER LANCEING & JENNIFER DANYELL

13848 MT HIGHWAY 200

SUN RIVER, MT 59483-9733

NOTE: See the Owner tab for all owner information

Subcategory: Residential Property

Assessment Code: 0006029100

Property Address: 13848 MT
HIGHWAY 200

SUN RIVER, MT 59483

COS Parcel:

Certificate of Survey:

Subdivision: LARGENT/STRONG ADD-SUN RIVER

Legal Description:

LARGENT/STRONG ADD-SUN RIVER, S34, T21 N, R01 W, BLOCK 003, Lot 001, LOTS 1-17
LESS HWY R/W

Last Modified: 6/9/2020 2:59:26 PM

General Property Information

Neighborhood: 202.481

Property Type: IMP_U - Improved Property - Urban

Living Units: 1

Levy District: 02-0C25-55X

Zoning: 1

Ownership %: 100

Linked Property:

No linked properties exist for this property

Exemptions:

No exemptions exist for this property

Condo Ownership:

General: 0

Limited: 0

Property Factors

Topography: 1, N

Fronting: 4 - Residential Street

Utilities: 7, 8, 9

Parking Type: 1 - Off Street

Access: 1

Parking Quantity: 2 - Adequate

Location: 5 - Neighborhood or Spot

Parking Proximity: 3 - On Site

Land Summary

<u>Land Type</u>	<u>Acres</u>	<u>Value</u>
Grazing	0.000	00.00
Fallow	0.000	00.00
Irrigated	0.000	00.00
Continuous Crop	0.000	00.00
Wild Hay	0.000	00.00
Farmsite	0.000	00.00
ROW	0.000	00.00
NonQual Land	0.000	00.00
Total Ag Land	0.000	00.00
Total Forest Land	0.000	00.00
Total Market Land	0.980	26,538.00

Deed Information:

Deed Date	Book	Page	Recorded Date	Document Number	Document Type
11/14/2012			11/16/2012	R0263723	Warranty Deed
6/13/1997	0294	00412			
3/13/1995	0269	00687			
12/5/1989	0216	00543			

Owners**Party #1**

Default Information: SKINNER CHRISTOPHER LANCEING & JENNIFER DANYELL
13848 MT HIGHWAY 200

Ownership %: 100

Primary Owner: "Yes"

Interest Type: Conversion

Last Modified: 3/28/2019 4:20:22 PM

Other Names

Other Addresses

Name

Type

Appraisals**Appraisal History**

Tax Year	Land Value	Building Value	Total Value	Method
2020	26538	185862	212400	MKT
2019	26538	185862	212400	MKT
2018	27941	152859	180800	MKT

Market Land

Market Land Item #1

Method: Sqft

Type: Primary Site

Width:

Depth:

Square Feet: 42,689

Acres:

Valuation

Class Code: 2101

Value: 26538

Dwellings**Existing Dwellings**

Dwelling Type	Style	Year Built
SFR	08 - Conventional	1895

Dwelling Information

Residential Type: SFR

Style: 08 - Conventional

Year Built: 1895

Roof Material: 10 - Asphalt Shingle

Effective Year: 1985

Roof Type: 3 - Gable

Story Height: 2.0

Attic Type: 0

Grade: 5

Exterior Walls: 1 - Frame

Class Code: 3301

Exterior Wall Finish: 5 - Maintenance Free Aluminum/Vinyl/Steel

Year Remodeled: 1997

Degree Remodeled:

Mobile Home Details

Manufacturer:

Serial #:

Width: 0

Model:**Length:** 0**Basement Information****Foundation:** 2 - Concrete**Finished Area:** 0**Daylight:** N**Basement Type:** 0 - None**Quality:****Heating/Cooling Information****Type:** Central**System Type:** 5 - Forced Air**Fuel Type:** 3 - Gas**Heated Area:** 0**Living Accomodations****Bedrooms:** 3**Full Baths:** 1**Addl Fixtures:** 3**Family Rooms:** 0**Half Baths:** 0**Additional Information****Fireplaces:****Stacks:** 0**Stories:****Openings:** 0**Prefab/Stove:** 1**Garage Capacity:** 0**Cost & Design:** 0**Flat Add:** 0**% Complete:** 0**Description:****Description:****Dwelling Amenities****View:****Access:****Area Used In Cost****Basement:** 0**Additional Floors:** 0**Attic:** 0**First Floor:** 1283**Half Story:** 0**Unfinished Area:** 0**Second Floor:** 685**SFLA:** 1968**Depreciation Information****CDU:****Physical Condition:** Average (7)**Utility:** Fair (6)**Desirability:****Property:** Average (7)**Location:** Fair (6)**Depreciation Calculation****Age:** 33**Pct Good:** 0.69**RCNLD:** 125200**Additions / Other Features****Additions**

Lower	First	Second	Third	Area	Year	Cost
	34 - Deck, Concrete			517	0	3350

There are no other features for this dwelling

Other Buildings/Improvements**Outbuilding/Yard Improvement #1****Type:** Residential**Description:** RPA2 - Concrete**Quantity:** 1**Year Built:** 2002**Grade:** A**Condition:****Functional:****Class Code:** 3301**Dimensions****Width/Diameter:** 12**Length:** 24**Size/Area:** 288**Height:****Bushels:****Circumference:****Outbuilding/Yard Improvement #2****Type:** Residential**Description:** RRG1 - Garage, frame, detached, finished**Quantity:** 1**Year Built:** 2001**Grade:** 5**Condition:****Functional:****Class Code:** 3301**Dimensions****Width/Diameter:** 32**Length:** 60**Size/Area:** 1920**Height:****Bushels:****Circumference:**

Outbuilding/Yard Improvement #3

Type: Residential	Description: RRS1 - Shed, Frame	
Quantity: 1	Year Built: 2002	Grade: A
Condition:	Functional:	Class Code: 3301
Dimensions		
Width/Diameter: 6	Length: 8	Size/Area: 48
Height:	Bushels:	Circumference:

Commercial**Existing Commercial Buildings**

No commercial buildings exist for this parcel

Ag/Forest Land**Ag/Forest Land**

No ag/forest land exists for this parcel

After Recording Return To:
Jennifer D. Skinner
308 1st Street NE
Choteau, MT 59422

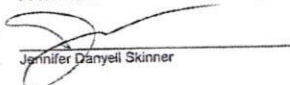
QUIT CLAIM DEED

For Value Received Jennifer Danyell Skinner does hereby convey, release, remise and forever quitclaim unto CHRISTOPHER LANCEING SKINNER ~~GRANTEE~~ residing at 13848 MT Highway 200, Sun River, MT 59483 grantee, the following described premises, in County of Cascade, State of Montana, to wit:

For Complete Legal Description see Exhibit A attached hereto and made a part hereof

Except patent reservations, restrictions, conditions, easements of record, and current taxes.

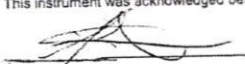
IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

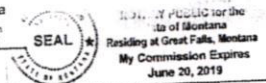

Jennifer Danyell Skinner

State of Montana

County of Cascade

This instrument was acknowledged before me on March 22, 2019 by Jennifer Danyell Skinner

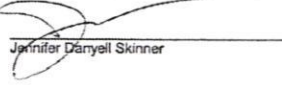

Notary public for the State of Montana
Residing at Great Falls, MT
My Commission Expires: 6/20/2019



For Complete Legal Description see Exhibit A attached hereto and made a part hereof

Except patent reservations, restrictions, conditions, easements of record, and current taxes.


IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.


Jennifer Daryell Skinner

State of Montana

County of Cascade

This instrument was acknowledged before me on March 22, 2019 by Jennifer Daryell Skinner


Notary public for the State of Montana
Residing at Great Falls, MT
My Commission Expires: 4/25/2019



NOTARY PUBLIC for the
State of Montana
Residing at Great Falls, Montana
My Commission Expires
June 20, 2019

0368733 QC

1st Page 2 R 14.00 By: branson 04/03/2019 12:01:47 PM
Cascade County, Rina F Moore - Clerk & Recorder

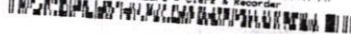


Exhibit A

LOTS 22 THROUGH 38, BLOCK 3;
LOTS 1 THROUGH 11, BLOCK 4;
ALL IN LARGENT AND STRONG EAST ADDITION TO SUN RIVER, CASCADE
COUNTY, MONTANA, ACCORDING TO THE OFFICIAL MAP OR PLAT
THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE CLERK AND
RECORDER OF SAID COUNTY.

LESS ANY LAND HERETOFORE CONVEYED TO GREAT NORTHERN
RAILWAY COMPANY BY INSTRUMENT RECORDED JULY 8, 1911, VOLUME 63
OF DEEDS, PAGE 98, RECORDS OF CASCADE COUNTY, MONTANA.

LESS THAT LAND SOLD TO MONTANA DEPARTMENT OF TRANSPORTATION
BY BARGAIN AND SALE DEED RECORDED APRIL 18, 1995, REEL 270,
DOCUMENT 437, RECORDS OF CASCADE COUNTY, MONTANA.

Property Record Card

Summary

Primary Information

Property Category: RP **Subcategory:** Residential Property
Geocode: 02-3135-34-1-06-35-0000 **Assessment Code:** 0006029200
Primary Owner: **Property Address:**
 SKINNER CHRISTOPHER LANCEING
 13848 MT HIGHWAY 200 **COS Parcel:**
 SUN RIVER, MT 59483-9733

NOTE: See the Owner tab for all owner information

Certificate of Survey:

Subdivision: LARGENT/STRONG ADD-SUN RIVER

Legal Description:

LARGENT/STRONG ADD-SUN RIVER, S34, T21 N, R01 W, BLOCK 003, Lot 022, LOTS 22-38

Last Modified: 6/9/2020 2:59:26 PM

General Property Information

Neighborhood: 202.481 **Property Type:** VAC_U - Vacant Land - Urban
Living Units: 0 **Levy District:** 02-0C25-55X
Zoning: **Ownership %:** 100
Linked Property:

No linked properties exist for this property

Exemptions:

No exemptions exist for this property

Condo Ownership:

General: 0 **Limited:** 0

Property Factors

Topography: 1 **Fronting:** 4 - Residential Street
Utilities: 0 **Parking Type:**
Access: 3 **Parking Quantity:**
Location: 5 - Neighborhood or Spot **Parking Proximity:**

Land Summary

Land Type	Acres	Value
Grazing	0.000	00.00
Fallow	0.000	00.00
Irrigated	0.000	00.00
Continuous Crop	0.000	00.00
Wild Hay	0.000	00.00
Farmsite	0.000	00.00
ROW	0.000	00.00
NonQual Land	0.000	00.00
Total Ag Land	0.000	00.00
Total Forest Land	0.000	00.00
Total Market Land	1.220	28,060.00

Deed Information:

Deed Date	Book	Page	Recorded Date	Document Number	Document Type
3/22/2019			4/3/2019	R0368733	Quit Claim Deed
11/14/2012			11/16/2012	R0263729	Warranty Deed
6/13/1997	0294	0412			

3/13/1995	0269	0687
12/5/1989	216	543

Owners

Default Information: SKINNER CHRISTOPHER LANCEING
13848 MT HIGHWAY 200

Ownership %: 100

Primary Owner: "Yes"

Interest Type: Fee Simple

Last Modified: 4/18/2019 1:00:27 PM

Other Names:

Other Addresses:

Name**Type****Appraisals**

Appraisal History

Tax Year	Land Value	Building Value	Total Value	Method
2020	28060	0	28060	COST
2019	28060	0	28060	COST
2018	25774	0	25774	COST

Market Land

Market Land Item #1

Method: Acre

Type: Primary Site

Width:

Depth:

Square Feet: 00

Acres: 1.22

Valuation:

Class Code: 2101

Value: 28060

Dwellings

Existing Dwellings

No dwellings exist for this parcel

Other Buildings/Improvements

Outbuilding/Yard Improvements

No other buildings or yard improvements exist for this parcel

Commercial

Existing Commercial Buildings

No commercial buildings exist for this parcel

Ag/Forest Land

Ag/Forest Land

No ag/forest land exists for this parcel

Property Record Card

Summary

Primary Information

Property Category: RP

Geocode: 02-3135-34-1-04-34-0000

Primary Owner:

SKINNER CHRISTOPHER LANCEING

13848 MT HIGHWAY 200

SUN RIVER, MT 59483-9733

NOTE: See the Owner tab for all owner information

Subcategory: Residential Property

Assessment Code: 0006029300

Property Address:

COS Parcel:

Certificate of Survey:

Subdivision: LARGENT/STRONG ADD-SUN RIVER

Legal Description:

LARGENT/STRONG ADD-SUN RIVER, S34, T21 N, R01 W, BLOCK 004, Lot 001, LAJ LTS 1-11

Last Modified: 6/9/2020 2:59:26 PM

General Property Information

Neighborhood: 202.481

Property Type: VAC_U - Vacant Land - Urban

Living Units: 0

Levy District: 02-0C25-55X

Zoning:

Ownership %: 100

Linked Property:

No linked properties exist for this property

Exemptions:

No exemptions exist for this property

Condo Ownership:

General: 0

Limited: 0

Property Factors

Topography: 1

Fronting: 4 - Residential Street

Utilities: 0

Parking Type:

Access: 3

Parking Quantity:

Location: 5 - Neighborhood or Spot

Parking Proximity:

Land Summary

<u>Land Type</u>	<u>Acres</u>	<u>Value</u>
Grazing	0.000	00.00
Fallow	0.000	00.00
Irrigated	0.000	00.00
Continuous Crop	0.000	00.00
Wild Hay	0.000	00.00
Farmsite	0.000	00.00
ROW	0.000	00.00
NonQual Land	0.000	00.00
Total Ag Land	0.000	00.00
Total Forest Land	0.000	00.00
Total Market Land	0.789	24,874.00

Deed Information

Deed Date	Book	Page	Recorded Date	Document Number	Document Type
3/22/2019			4/3/2019	R0368733	Quit Claim Deed
11/14/2012			11/16/2012	R0263729	Warranty Deed

6/13/1997	0294	0412
3/13/1995	0269	0687

Owners

Default Information: SKINNER CHRISTOPHER LANCEING

13848 MT HIGHWAY 200

Ownership %: 100

Primary Owner: "Yes"

Interest Type: Fee Simple

Last Modified: 4/18/2019 1:10:39 PM

Other Names

Other Addresses

Name

Type

Appraisals

Appraisal History

Tax Year	Land Value	Building Value	Total Value	Method
2020	24874	0	24874	COST
2019	24874	0	24874	COST
2018	25029	0	25029	COST

Market Land

Market Land Item #1

Method: Sqft

Type: Primary Site

Width:

Depth:

Square Feet: 34,369

Acres:

Valuation

Class Code: 2101

Value: 24874

Dwellings

Existing Dwellings

No dwellings exist for this parcel

Other Buildings/Improvements

Outbuilding/Yard Improvements

No other buildings or yard improvements exist for this parcel

Commercial

Existing Commercial Buildings

No commercial buildings exist for this parcel

Ag/Forest Land

Ag/Forest Land

No ag/forest land exists for this parcel

COMMITMENT FOR TITLE INSURANCE

Issued by

Westcor Land Title Insurance Company

SCHEDULE A

Transaction Identification Data for reference only:

Issuing Agent: Boston National Title Agency, LLC

ALTA Universal ID:

Loan ID Number:

Issuing Office File Number: DEF2031118-A

Property Address: Parcel No. 6029700, 6029500, 6029600 and 6029800, Cascade, MT

Property Tax ID: 6029700; 6029500; 6029600; 6029800

Issued/Revised: October 26, 2020 at 9:31 AM

1. Commitment Date: **October 13, 2020, 8:00 am**
2. Policy to be issued:
 - (a) 2006 ALTA® Owner's Policy

Proposed Insured: **Christopher L Skinner**
Proposed Policy Amount: **\$18,000.00**
 - (b) 2006 ALTA® Loan Policy

Proposed Insured:
Proposed Policy Amount:
3. The estate or interest in the land described or referred to in this Commitment is **Fee Simple**.
4. Title is, at the Commitment Date, vested in
Sunrise Financial Group, LLC
5. The land referred to in this Commitment is described as follows:
SEE ATTACHED EXHIBIT "A"

Countersigned
Boston National Title Agency, LLC
129 West Trade Street, 9th Floor
Charlotte, North Carolina 28202

By:


Authorized Signatory

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EXHIBIT "A"

All the property situated in Cascade County, State of Montana, described as:

LOTS 40 THROUGH 45, INCLUSIVE, BLOCK 4 AND LOTS 23 THROUGH 39, INCLUSIVE, BLOCK 4 AND LOTS 21 AND 22, BLOCK 4 AND LOTS 12 THROUGH 20, INCLUSIVE, BLOCK 4 LARGENT AND STRONG EAST ADDITION TO SUN RIVER, CASCADE COUNTY, MONTANA, ACCORDING TO THE OFFICIAL PLAT OR MAP THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF SAID COUNTY.

EXCEPTING THEREFROM THE LAND CONVEYED TO GREAT NORTHERN RAILWAY COMPANY BY DEED RECORDED IN BOOK 63 OF DEEDS, PAGE 92, RECORDS OF CASCADE COUNTY, MONTANA.

AND EXCEPTING THEREFROM THE LAND CONVEYED TO THE STATE OF MONTANA BY QUIT CLAIM DEED RECORDED ON REEL 153, DOCUMENT 555, RECORDS OF CASCADE COUNTY, MONTANA.



COMMITMENT FOR TITLE INSURANCE

Issued by

Westcor Land Title Insurance Company

**SCHEDULE B
Requirements**

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
5. **Warranty Deed from Sunrise Financial Group, LLC to Christopher L Skinner conveying the property described in Schedule A of this commitment.**
6. **Receipt of evidence satisfactory to the Company that Sunrise Financial Group, LLC (1) has filed Articles of Organization with the State Corporation Commission, and is in good standing in its state or country of organization, (2) and Company must be furnished with a copy of the Operating Agreement and all amendments thereto, and certified copies of any articles or certificates of conversion, merger, or other change(s) of name; and (3) verification of the authority of individual(s) executing documents on behalf of the Entity to enter into the transaction to be insured on its behalf; and/or certification by an approved attorney that transaction, execution and delivery of instruments is pursuant to the provisions of the Operating Agreement.**

NOTE: No open Deeds of Trust or Mortgages found of record.

7. **Payment of the first installment of 2020 taxes in the amount of \$42.18 due on or before 11/30/2020. (Parcel 0006029700)**
8. **Payment of the first installment of 2020 taxes in the amount of \$102.69 due on or before 11/30/2020. (Parcel 0006029500)**
9. **Payment of the first installment of 2020 taxes in the amount of \$81.13 due on or before 11/30/2020. (Parcel 0006029600)**

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AMERICAN
LAND TITLE
ASSOCIATION



10. Payment of the first installment of 2020 taxes in the amount of \$94.65 due on or before 11/30/2020. (Parcel 0006029800)
11. Title Company must review any proposed documentation which would alter the existing transaction between the parties evidencing the nature and structure of the proposed transaction. Additional requirements or exceptions may be added upon review of the transaction documents.
12. Receipt of satisfactory Owners Affidavit and no lien.
13. RECEIPT of satisfactory Due Process Certificate issued by Tax Title Services, Inc., that the sale of delinquent tax by Tax Certificate was administered for the subject property pursuant to the Montana Statutes, relating to the issuer of this commitment and designated underwriter. RECEIVED
14. We require satisfactory proof that all homeowner's association dues are paid in full, if applicable, through the date of closing. Provide a HOA Dues Estoppel Pay Off Demand letter, if applicable.
15. If requested insured amount exceeds the amount established by Tax Title Services, approval of said increase of insured coverage amount must be approved by Tax Title Services.
16. THE FOLLOWING ARE JUDGMENTS/LIENS all recorded in the Clerk & Comptroller's Office, Cascade County, MT: none

NOTE: As of 10/13/2020, no judgments were found of record against Christopher L. Skinner.

NOTE: The Following is for informational purposes only and will not appear in the policy to be issued hereunder.

The following deed(s) affecting the land described in Schedule A hereof were recorded in CASCADE COUNTY, MT within twenty-four (24) months of the effective date of this report:

Current Deed

Grantee: Sunrise Financial Group, LLC
Grantor: James A. Bailey, County Treasurer
Recorded: 10/22/2012 as R0262330 (Parcel #6029800); R0262331 (Parcel #6029700); R0262332 (Parcel #6029600); and R0262333 (Parcel #6029500)

NOTE: The below tax information is provided for informational purposes only. Tax information has been based on the present assessment rolls, but is subject to any changes or future adjustments that may be made by the Tax Assessor or by the County. No liability is assumed for the accuracy of the amount of taxes paid or for any changes imposed by said county authority.

2020 TAX INFORMATION

Property Control Number #: 6029700

Land: \$

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Building: \$
Assessed Value: \$131.00

Due Date(s): 11/30 and 5/31/2021
2020 tax status is Due first installment; Open second installment

Property Control Number #: 6029500

Land: \$
Building: \$
Assessed Value: \$319.00

Due Date(s): 11/30 and 5/31/2021
2020 tax status is Due first installment; Open second installment

Property Control Number #: 6029600

Land: \$
Building: \$
Assessed Value: \$252.00

Due Date(s): 11/30 and 5/31/2021
2020 tax status is Due first installment; Open second installment

Property Control Number #: 6029800

Land: \$
Building: \$
Assessed Value: \$294.00

Due Date(s): 11/30 and 5/31/2021
2020 tax status is Due first installment; Open second installment

END OF SCHEDULE B REQUIREMENTS

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SCHEDULE B, PART II
Exceptions

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Rights or claim of parties in possession not shown by the public records.
2. Easements, or claim of easements, not shown by the public records
3. Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey and inspection of the premises.
4. Any liens, or right to a lien, for services, labor or material hereto or hereafter furnished, imposed by law and not shown by the public records.
5. Any dispute as to the boundaries caused by a change in the location of any water body within or adjacent to the land prior to Date of Policy, and any adverse claim to all or part of the land that is, at Date of Policy, or was previously, under water.
6. Any titles or rights asserted by anyone including but not limited to persons, corporations, governments or other entities, to tide lands, or lands comprising the shores or bottoms of navigable rivers, lakes, bays, ocean or gulf, or lands beyond the line of the harbor or bulkhead lines as established or changed by the United States Government or water rights, if any.
7. Taxes or special assessment not shown as liens in the public records or in the records of the local tax collecting authority, at Date of Policy.
8. Rights of dower, homestead or other marital rights of the spouse, if any, of any individual insured.
9. Any minerals or mineral rights leased, granted or retained by current or prior owner.
10. Any inaccuracy in the area, square footage, or acreage of land described in Schedule A or attached plat, if any. The Company does not insure the area, square footage, or acreage of the land.
11. Rights of tenants, as tenants only, under any unrecorded leases.
12. Zoning, land use, building laws, regulations and ordinances.
13. Minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from

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the land, together with all rights, privileges, and immunities relating thereto, whether or not appearing in the Public Records or listed in Schedule B. The Company makes no representations as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interest that are not listed. The Company makes no representation as to the present ownership of any such interests.

14. Real estate taxes, including supplemental taxes and roll back taxes, if applicable, and municipal charges for 2020 and subsequent years, not yet due and payable.

Special Exceptions

15. Taxes for 2021 and subsequent not yet due and payable.
16. Easements, restrictions, covenants, setback lines, encroachments, conditions, as noted in the Deed recorded in R0262333, of the Official Records of Cascade, MT.
17. Any liens, judgments or encumbrances against the Managing Member(s) of a Limited Liability Company will not be covered by the title insurance policy.
18. *Notice: Please be aware that due to the conflict between federal and state laws concerning the cultivation, distribution, manufacture or sale of marijuana, the Company is not able to close or insure any transaction involving Land that is associated with these activities.*

END OF SCHEDULE B EXCEPTIONS

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AMERICAN
LAND TITLE
ASSOCIATION



Boston National Title Agency, LLC
Revised August 28, 2001
Privacy Policy Notice

PURPOSE OF THIS NOTICE

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We may collect nonpublic personal information about you from the following sources:

- Information we receive from you such as on applications or other forms.
- Information about your transactions we secure from our files, or from (our affiliates or) others.
- Information we receive from a consumer reporting agency.
- Information that we receive from others involved in your transaction, such as the real estate agent or lender.

Unless it is specifically stated otherwise in an amended Privacy Policy Notice, no additional nonpublic personal information will be collected about you.

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We also may disclose this information about our customers or former customers to the following types of nonaffiliated companies that perform marketing services on our behalf or with whom we have joint marketing agreements:

- Financial service providers such as companies engaged in banking, consumer finance, securities and insurance.
- Non-financial companies such as envelope stuffers and other fulfillment service providers.

WE DO NOT DISCLOSE ANY NONPUBLIC PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT SPECIFICALLY PERMITTED BY LAW.

We restrict access to nonpublic personal information about you to those employees who need to know that information in order to provide products or services to you. We maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.



December 16, 2020

RECEIVED JAN 05 2021

To: Anna Ehries

Cascade County Planner

From: Rina Ft. Moore

Clerk & Recorder/ Auditor/ Surveyor

RE: Petition to Discontinue a County Alley (applicant: Christopher Skinner)

The Land Data Management Staff has verified the signatures of 1 freeholder in Cascade County on the matter of a Petition to Abandon two (2) alley ways and one (1) street known as (a highlighted diagram is attached for reference):

- o The alley running East to West through Block 3 approximately 495 feet long and 20 feet wide, between platted Main Street and Carroll Street.
- o The alley running East to West through Block 4 approximately 550 feet long and 20 feet wide, between platted Main Street and Carroll Street.
- o The street platted as Carroll St approximately 500 feet long and 60 feet wide.

I hereby certify that the Petition to discontinue the above described property contains the signature of the owner of the adjacent property.



Rina Ft Moore



Clerk and Recorder/ Auditor/ Surveyor



January 26, 2021

AGENDA #4

Agenda Action Report *Prepared for the* **Cascade County Commission**

ITEM	Public Hearing for the Zoning Map Amendment of Cascade County Zoning Regulations ("CCZR") § 4 "Zoning Map"
INITIATED BY	Rainy Wright
SUBJECT PROPERTY:	The property is described as Parcel # 0004206200, Geocode 02-2894-19-2-01-09-0000, a tract of land in the South ½ of Section 18 and North ½ of Section 19, Township 19 North, Range 5 East, PMM, Cascade County, Montana, and has a physical address of 662 Stockett Rd., Stockett, Montana 59480
EXISTING ZONING & USES:	Rural Residential District ("RR5"). Currently being used as a residence and for agricultural grazing and livestock
ACTION REQUESTED:	Zoning Map Amendment to rezone the Subject Property from Rural Residential District ("RR5") to the Mixed-Use District ("MU").
PURPOSE	The Applicant desires to have a small (120 ft ²) drive-thru coffee shop on the Subject Property.
PRESENTED BY	Amber Hobbs, Planner



ADDITIONAL INFORMATION

Surrounding Zoning and Land Uses:

Direction	Parcel Number (s)	Zoning District	Existing Land Use
North	Parcel # 0004204850	RR5	Undeveloped/Grazing
East	Parcel# 0004057700	MU	Centerville Senior Citizens Center
	Parcel # 0004058000	MU	Residence
	Parcel # 0004206745	MU	Undeveloped
	Parcel # 0004058800	MU	Residence
	Parcel # 0004058900	MU	Residence
	Parcel # 0004059000	MU	Undeveloped
	Parcel # 0004059100	MU	Residence
	Parcel # 0004059300	MU	Church
	Parcel # 0004206600	MU	Undeveloped
South	Parcel # 0004206300	RR5	Undeveloped
	Parcel # 0004206780	RR5	Undeveloped
	Parcel # 0004206400	RR5	Undeveloped/Grazing
West	Parcel # 0004159300	RR5	Agricultural

SPECIAL INFORMATION

1. Rainy Wright is petitioning as Owner and Applicant to rezone 73.693 acres of property from Rural Residential District ("RR5") to the Mixed-Use District ("MU").
2. The Applicant currently resides on the property.
3. The intent of the rezoning is to have the Subject Property zoned in a zoning district that allows for the use of a drive-thru coffee stand, which would fall under the CCZR § 2 definition of "retail sales," as a Permitted Principal Use. The RR5 District does not allow for the use of retail sales.
4. The Mixed-Use ("MU") District permits the use of retail sales as a Permitted Principal Use with an approved Location/Conformance Permit. CCZR § 7.8.8(2)(x).
5. Notice of the Public Hearing were posted on December 9, 2020 and December 10, 2020, in at least five (5) public places within the MU District.
6. Notice of Public Hearing was mailed to surrounding property owners on January 11, 2021.
7. Legal Ads for the Public Hearing were published in the Great Falls Tribune on January 17, 2021, and January 24, 2021.



ZONING ANALYSIS

Pursuant to MCA § 76-2-203, the following criteria and guidelines must be considered in conjunction with all rezoning proposals:

Criteria 1: The rezoning is made in accordance with the Growth Policy.

The Cascade County Growth Policy ("Growth Policy") contains five (5) primary goals. Each Goal also includes a subset of Objectives which the Growth Policy defines as a more narrowly defined and concrete expression of community intent. The five (5) goals and their related objectives are:

Goal 1: Sustain and strengthen the economic well-being of Cascade County's citizens.

Objectives:

- A.** Stimulate the retention and expansion of existing businesses, new businesses, value-added businesses, wholesale and retail businesses, and industries including agriculture, mining, manufacturing/processing and forest products.

Applicant: Yes, we are proposing a new and much desired business that will benefit our neighbors and community.

Staff: The Applicant's intent for this proposed rezone is to open a drive-thru coffee stand. The stand will be a new business in Cascade County.

- B.** Stabilize and diversify the county's tax base by encouraging the sustainable use of its natural resources.

Applicant: Not applicable as we are not planning on using the natural resources in our proposed business

Staff: If the rezone is granted, the proposed new business would have a positive impact on the County's tax base. The application material does not propose the use of natural resources.

- C.** Identify and pursue primary business development that complements existing business, which is compatible with communities, and utilizes available assets. Identify and pursue targeted business development opportunities to include, but not limited to, manufacturing/heavy industry, telecommunication, and youth/social services.

Applicant: We will be able to [complement] the existing businesses by encouraging and fostering good neighbor policies and providing a service that will be appreciated by the owners of such businesses and their customers. We are unable to identify any existing or proposed



manufacturing, heavy industry, telecommunications and/or youth and social services.

Staff: There are a few businesses and places near this proposed rezone, a church, a senior citizen center, a tavern, and Centerville Public School. The proposal of a drive-thru coffee stand would complement the existing businesses and would be compatible with the surrounding communities. There is more business opportunity in the MU District than in the RR5 District. No negative impact is anticipated to businesses in the manufacturing/heavy industry, telecommunication, and youth/social services as a result of this rezone proposal.

D. Promote the development of cultural resources and tourism to broaden Cascade County's economic base.

Applicant: As Sand Coulee and Stockett are not on most tourist itineraries, we don't expect this to have a great deal of impact.

Staff: The proposed rezone and business will not have a negative impact on cultural resources or tourism within the County. If the property is zoned MU and a Location/Conformance Permit is approved, then tourist driving by on Stockett road would have the opportunity to stop at the drive-thru coffee shop which would help to broaden Cascade County's economic base.

E. Foster and stimulate well-planned entrepreneurship among the County's citizenry.

Applicant: We are currently in the process of stimulating well planned entrepreneurship and will pursue this with diligent alacrity.

Staff: The proposed business will serve as an example of well-planned entrepreneurship. It has the potential to encourage other entrepreneurs to similarly develop or redevelop the area to attract business development. The opportunity for business is also greater when zoned MU verses RR5.

F. Promote a strong local business environment. Encourage and strengthen business support mechanisms such as chambers of commerce, development organizations and business roundtable organizations.

Applicant: As our current community lacks such organizations, we will be unable to join as such, however we intend to support the expansion of other businesses as they arrive and will pursue the creation of such organizations when presented with the opportunity.



Staff: The Applicant plans on serving local coffee which will help support local businesses in Cascade County.

G. Improve local trade capture for Cascade County businesses. Promote local shopping as well as well-planned businesses and new businesses.

Applicant: As the only other current businesses in our community are a tavern, a church and a senior center; we intend on capturing their business on a daily basis, while fostering community involvement.

Staff: The proposed business and proposed rezone would have a positive impact on local shopping by providing amenities and convenience currently lacking in the general area.

H. Network with and support other economic development efforts in the region and statewide, in recognition of Cascade County's interdependence with other communities and to leverage available local resources.

Applicant: We intend to network with other in and out of county businesses as often as possible.

Staff: A drive-thru coffee stand would be a value-added business to other surrounding businesses in the Stockett and Sand Coulee area. It will also offer locally sourced coffee to out-of-town drivers that pass-through Cascade County.

I. Encourage the growth of the agricultural economy.

Applicant: As we are not directly involved with the agricultural community, this is non applicable.

Staff: This proposed rezone is not anticipated to have a negative impact on the agricultural economy.

J. Stimulate the growth of the economy by encouraging the use of alternative methods of energy production, including wind energy.

Applicant: We would be delighted to be able to utilize wind energy to power our business and would be available to lease acreage to interested parties. At this time we do not have plans to utilize wind energy, we are simply open to the prospect should it arise.

Staff: The use of alternative methods of energy production, including wind energy, was not included in the application material for this proposed rezone. Therefore, no impact is anticipated.



Goal 2: Protect and maintain Cascade County's rural character and the community's historic relationship with natural resource development.

Objectives:

- A.** Foster the continuance of agriculture and forestry in recognition of their economic contribution and the intrinsic natural beauty of grazing areas, farmlands and forests.

Applicant: We intend on maintaining the greater part of our existing grazing lands in order to beautify the surrounding property.

Staff: Parcel # 0004159300 to the West of the Subject Property, based on information provided by the Montana Cadastral website¹, is used for agricultural purposes. According to the application material, the Applicant plans on keeping the western part of this property, that is adjacent to parcel # 0004159300, as grazing land.

- B.** Preserve Cascade County's scenic beauty and conserve its forests, rangelands and streams, with their abundant wildlife and good fisheries.

Applicant: Maintaining the bulk of our existing property as grazing will ensure that wildlife will not be adversely affected.

Staff: The Applicant plans on keeping the majority of their 73.693-acre property as grazing land. Therefore, a negative impact on Cascade County's scenic beauty is not anticipated for this proposed rezone.

- C.** Preserve Cascade County's open space setting by encouraging new development to locate near existing towns and rural settlements and by discouraging poorly designed, land subdivisions and commercial development.

Applicant: As we are adjacent to the existing senior center, our proposed business will be located as near as possible to existing businesses.

Staff: The Applicant plans on placing the drive-thru coffee business off Stockett Road and near other business that are currently in the MU District while keeping the majority of the subject property as grazing land. This proposal will preserve Cascade County's open space while encouraging new development to locate near existing towns.

¹ [Montana Cadastral \(mt.gov\)](http://MontanaCadastral.mt.gov)



D. Assure clean air, clean water, a healthful environment and good community appearance.

Applicant: We can assure that. We will add to our current landscape natural grasses, shrubs, and trees. The coffee shop will not produce any by-products that are harmful to the environment. The buildings and corrals that we removed in order to accommodate the coffee shop could have been considered by the neighborhood as unsightly, however, the new landscaping and proposed planting will certainly improve the appearance of the property as seen from the highway.

Staff: The Applicant has expressed their desire to remain compatible with the surrounding area and that they will maintain their property to promote a good community appearance. The Applicant will also be required to work with the City-County Health Department and other environmental agencies to comply with water and wastewater requirements.

E. Support the development of natural resources including but not limited to timber, mining, oil, and gas production, and renewable energy production.

Applicant: This is not applicable to our request.

Staff: This rezone proposal and the proposed drive-thru coffee stand will have no impact on the development of natural resources.

F. Continue to work with federal and state agencies to redevelop properties within Cascade County which are currently undergoing Superfund and Brownfields processes.

Applicant: We will work with any federal and [state] agencies that may have jurisdiction over our property.

Staff: According to the Environmental Protection Agency's website² the Subject Property is not a site that is undergoing Superfund and Brownfields processes.

Goal 3: Maintain agricultural economy

Objectives:

A. Protect the most productive soil types.

² [Cleanups in My Community](#) | [Cleaning Up Our Land, Water and Air](#) | [US EPA Search for Superfund Sites Where You Live](#) | [Superfund](#) | [US EPA](#)



Applicant: Yes. With the planting and reintroduction of native grasses, shrubs, and trees.

Staff: According to the United States Department of Agriculture ("USDA") Natural Resources Conservation Services Web Soil Survey³, the soil located on this property is not prime farmland.

B. Continue to protect soils against erosion.

Applicant: Yes, with proper landscaping and seeding.

Staff: With the small size, 120 square feet, of the proposed business and the Applicant's proposed landscaping, a negative impact on soil erosion is not anticipated.

C. Protect the floodplain from non-agricultural development.

Applicant: We are not in the floodplain.

Staff: The Subject Property is not located in a regulated floodplain. To the East of this property, across Stockett Road, the majority of the MU District is in a regulated floodplain. Rezoning the subject property to the MU District would provide this area with more commercial opportunity away from floodplain hazards helping to support a more flood resilient community.

D. Support the development of value-added agricultural industry in Cascade County utilizing the products from the regional area.

Applicant: We would be delighted to support agriculture in any way possible as most of our projected customers will be from the agricultural community.

Staff: The intent of the proposed rezone is not for agricultural purposes and will not directly impact the agricultural industry. The Subject Property is located near agricultural activity and a drive-thru coffee stand would be a value-added business that the agricultural community can utilize.

Goal 4: Retain the presence of the U.S. Military in Cascade County

Objectives:

A. Encourage the federal congressional delegation to actively support maintaining

³ Web Soil Survey (usda.gov)



the current mission status at a minimum.

Applicant: Certainly

B. Promote the location of additional military missions in Cascade County.

Applicant: Certainly

C. Encourage the reactivation of the runway at Malmstrom Air Force Base for fixed wing operations.

Applicant: Certainly

D. Refer to the Joint Land Use Study for resolving conflicts and promoting mission compatible development.

Applicant: Certainly. Our business will not have any effect on the presence of the US military in Cascade County as we are located several miles from Malmstrom Air Force base.

Staff: The proposed rezone property is not located near military activity and is not in a Military Overlay District, therefore no impact is anticipated.

Goal 5: Preserve and enhance the rural, friendly and independent lifestyle currently enjoyed by Cascade County's citizens.

Objectives:

A. Maintain Cascade County's citizen's independent lifestyle and minimize local governmental intervention, to the extent possible, consistent with the requirements of a continually evolving economy and constantly changing population.

Applicant: We support the idea of independence and the minimization of local governmental interference.

Staff: The proposed rezone will not impact Cascade County's citizen's independent lifestyle.

B. Preserve and promote Cascade County's rich cultural heritage, rooted in natural resource development and reflected in its numerous cultural/historic sites and archaeological areas.

Applicant: We are located in a strong cultural heritage area and will be supportive of such culture. The community that we live in and where the proposed coffee shop is located is recognized as a coal



mining community. There are a number of people in the community who are descendants of the original coal miners. The mascot of the local school is a Miner and the coal mining culture remains a strong presence in our community.

Staff: The Applicant is committed to maintaining their property and acknowledges the importance of Cascade County's rich cultural heritage. The Subject Property is not known to be a cultural/historic or archaeological site.

C. Promote fire prevention measures throughout the county, giving special emphasis to the extreme fire hazards present at the wild land/urban interface.

Applicant: Yes, we are currently involved in all community activities that support the volunteer fire department and we will adhere to all safety measures.

Staff: The Subject Property is not located in the Wildland Urban Interface area and is categorized as a low risk area. This Property is within the Sand Coulee Volunteer Fire Department's District.

D. Encourage the continued development of educational programs and facilities, recreational opportunities and spaces and health services for all county residents.

Applicant: Certainly. As we are located less than a mile from the local school, we are certain that both educators and students will be included in our clientele and we plan to implement a series of fund-raising opportunities that will benefit the school.

Staff: The proposed rezone property is located about .3 miles away from Centerville Public School. Both RR5 and MU Districts allow for Educational Facilities and Public Safety Facilities as Permitted Principal Uses. A negative impact on educational development, health services, or recreational opportunities from the proposed rezone is not anticipated.

Criteria #2: Whether the zoning regulations have been designed to secure safety from fire and other dangers.

Applicant: Yes. The location of the coffee shop with respect to the highway and any structures was determined with easy access and egress in mind. Fire trucks and emergency vehicles will have easy access and egress from the property. We are located approximately 3 miles from the Volunteer Fire Hall.

Staff: The intent of this rezone, based on the information provided in the



application material, is so that the Applicant can operate a drive-thru coffee stand on her property. The zoning change from RR5 to MU should not have a negative impact on safety from fire or other dangers. The proposed coffee stand will be placed off Stockett Road where it should be easily accessed by emergency vehicles.

Criteria #3: Whether the zoning regulations have been designed to promote public health, public safety, and general welfare.

Applicant: Yes. We have located the coffee shop on a straight stretch of highway where there is excellent visibility for access and egress. There are no obstructions which would hinder visibility to or from the highway.

Staff: Rezoning the subject parcel to MU will not positively or negatively impact public health, safety, or general welfare.

Criteria #4: Whether the zoning regulations have been designed to facilitate the adequate provision of transportation, water, sewage, schools, parks, and other public requirements.

Applicant: Yes. Access and egress to and from the property was purposefully improved by the replacement of both culverts under the access and egress approaches from the highway.

Staff: Existing water and septic systems will need to be permitted for future development. A negative impact on schools and parks is not anticipated.

Criteria #5: Whether the zoning regulations have been designed to provide adequate light and air.

Applicant: Yes. As the building is only 120sq ft, it will have negligible effect on the surrounding light and air.

Staff: The proposed rezone should not have a negative impact on adequate light and air given the small business proposed and the parcel size.

Criteria #6: Whether the zoning regulations have been designed to address effects on motorized and non-motorized transportation systems.

Applicant: Yes. Necessary repairs have been made to both culverts, improving the safety of access and egress from the highway.

Staff: The access for the property is located off Stockett Road which is a Montana Department of Transportation ("MDT") secondary route known as S-277. MDT stated that the Applicant will need to fill out and submit two approach permits.



Criteria #7: Whether the zoning regulations have been designed to be compatible with urban growth in the vicinity of cities and towns that at a minimum must include the areas around municipalities.

Applicant: Yes. We are doing our best to encourage local urban growth.

Staff: The Subject Property is directly adjacent to parcels that are zoned in the MU District. The drive-thru coffee stand, that the Applicant plans to establish, would be located near other businesses in this area. Mixed-use zoning is very common in and around unincorporated townships like Simms, Sand Coulee, and Stockett.

Criteria #8: Whether the zoning regulations have been made with reasonable consideration to the district's peculiar suitability for particular uses.

Applicant: Yes. Our districts peculiar suitability is for the provision and service to the agricultural community and those members of the agricultural community will make up a significant percentage of our clientele.

Staff: This would not be considered "spot zoning" as it is directly adjacent to a MU District. When considering the *Little vs. Board of County Commissioners* test, the first factor to consider is if "the proposed use is significantly different from the prevailing use in the area". The proposed coffee stand use will not be significantly different from the prevailing MU District uses to the East of this Property. These existing uses include a senior citizen center, a tavern, and a church.

The second consideration is "the area in which the requested use is to apply is rather small from the perspective of concern with the number of separate landowners benefited from the proposed change", the acreage of the parcel petitioning for rezone is large (73.693 acres) compared to the surrounding Mixed-Use parcels, which range from .258 to 38.230 acres. Staff does not believe the second factor will be met given the large size of subject parcel.

Finally, while the purpose of the rezone is to explicitly benefit one landowner, the proposal of a drive-thru coffee stand, as well as having a larger parcel, not in a regulated floodplain, zoned in the MU District will benefit businesses and residences in the area. Since the adjacent properties to the East are zoned MU and the proposed uses of the property are in line with all surrounding properties, this is not a spot zone scenario.

Criteria #9: Whether the zoning regulations have been made with a view to conserving the value of buildings and land.

Applicant: Yes. We are certain that the proposed business for our property will reflect favorably on our property values.



Staff: The Applicant plans on keeping the majority of this property as grazing land and to use the portion of the Property, that is located near other commercial uses, for a drive-thru coffee stand. Based on the application material, this proposed zone change has been made with a view to conserving the value of buildings and land.

Criteria #10: Must, as nearly as possible, be made compatible with the zoning ordinances of nearby municipalities.

Applicant: Yes. To the best of our knowledge.

Staff: The surrounding properties are zoned as RR5, and MU. The MU District allows all Permitted Principal Uses allowed in RR5, SR1, and SR2 Districts, along with some commercial uses with an approved Location/Conformance Permit. See CCZR § 7.8.8. The rezone proposal will be compatible with the zoning ordinances of nearby municipalities.

CONCLUSION

The Cascade County Zoning Regulations state that the MU District's "Permitted Principal Uses" pertain to all Permitted Principal Uses allowed in RR5, SR1, and SR2 Districts, as well as any retail or wholesale trade (excluding large equipment trade) CCZR § 7.8.8 (1) & (2). This zone change request is for a parcel that borders other parcels within the MU District and would in effect expand the existing MU District in that area. The Applicant's request to rezone their property to MU is consistent with the intended use of a drive-thru coffee stand, the residence that is currently on the subject property, as well as the surrounding uses which consist of commercial, residential, and agricultural land uses.

RECOMMENDATIONS

On December 15, 2020, the Cascade County Planning Board unanimously (6-0) recommended approval of the Zoning Map Amendment to rezone the Subject Property from RR5 District to the MU District.



MOTIONS FOR CONSIDERATION

Recommendation 1:

"I move that the Board of Cascade County Commissioners, after consideration of the Staff Report, supporting materials, public testimony, and written comments, **deny** the zoning map amendment requested by Rainy Wright to rezone Parcel# 0004206200, Geocode 02-2894-19-2-01-09-0000, located in the South ½ of Section 18 and North ½ of Section 19, Township 19 North, Range 5 East, PMM, Cascade County, Montana, from Rural Residential-5 District to the Mixed-Use District."

OR:

Recommendation 2:

"I move that the Board of Cascade County Commissioners, after consideration of the Staff Report, supporting materials, public testimony, and written comments, **approve** the zoning map amendment requested by Rainy Wright to rezone Parcel# 0004206200 Geocode 02-2894-19-2-01-09-0000, located in the South ½ of Section 18 and North ½ of Section 19, Township 19 North, Range 5 East, PMM, Cascade County, Montana, from Rural Residential-5 District to the Mixed-Use District."

Attachments:

- 1) Rezone Application
- 2) Extended Answers
- 3) Vicinity and Zoning maps
- 4) Applicable CCZR Sections
- 5) MDT Comment



Cascade County Zoning Change Application

Cascade County Planning Department
121 4th St No, STE 2H/I, Great Falls MT 59401
Phone: 406-454-6905 | Fax: 406-454-6919

\$750.00 Non Refundable Application Fee

Payment: Check (#) 3208 Cash

FOR OFFICE USE ONLY

Date Application Received: 11-17-2020

File No: EC 2020-003

Planning Board Hearing Date: _____

Action: _____

County Commission Hearing Date: _____

Action: _____

APPLICANT/OWNER:

Name: Rainy Wright Phone: 406-736-5318

Mailing Address: P.O. Box 171

City/State/Zip Code: Sand Coulee/MT/59472

Interest in property: _____

Check which applies:

☐ Map Amendment

☒ Text Amendment, Zoning Regulations

TECHNICAL/PROFESSIONAL PARTICIPANTS:

Name: Rainy Wright Phone: 406-736-5318

Mailing Address: po Box 171

City, State, Zip: Sand Coulee, MT, 59472

Email: rainywright@hotmail.com

IF THE REQUEST PERTAINS TO AN AMENDMENT TO THE TEXT OF THE ZONING REGULATIONS, PLEASE COMPLETE THE FOLLOWING:

A. What is the proposed zoning text/map amendment?

WE ARE NOT PROPOSING AN AMENDMENT TO THE TEXT

IF THE REQUEST PERTAINS TO AN AMENDMENT TO THE ZONING MAP PLEASE COMPLETE THE FOLLOWING:

Updated January 30, 2017

- A. Address of the property: 662 Stockett Rd, Sand Coulee, MT, 59472
- B. Legal Description: _____
(Lot/Block of Subdivision, or Geocode/Parcel #)
- C. 18 / 19N / 5E
Section Township Range
- D. Total acreage: 73.690
- E. Zoning district: _____
- F. The present zoning of the above property is: R5
- G. The proposed zoning of the above property is: commercial/ mixed use

APPLICATION REQUIREMENTS

An applicant must notify the Planning Department and request a pre-application meeting with planning staff. The pre-application meeting will be scheduled within thirty (30) days of the request. At this meeting, staff will indicate the necessary information within the application, process, and timeline for the rezoning petition process. The application for a rezoning petition must include the following and any additional materials requested by Planning Staff:

- (1) A letter signed by at least one landowner within the area to be rezoned explaining the requested rezoning.
- (2) A vicinity map of the parcels and surrounding area clearly identifying the location of the property.
- (3) A legal description of the boundaries of the proposed district.
- (4) A lot layout plan may be required indicating some or all of the following:
 - (a) Identify any covenants, liens, easements or any other encumbrances upon the parcel. If a description will not suffice, provide copies or exhibits when necessary.
 - (b) The land area of the parcel (found on deed, subdivision plat or certificate of survey at the Office of the County Clerk and Recorder or Planning Department).
 - (c) Describe the existing land use of the parcel and neighboring areas.
 - (d) Describe the anticipated impact upon neighboring property.
 - SEE SITE PLAN (e) On a site plan, indicate the dimensions of the property under consideration, the size and placement of existing structures, parking areas and landscaping areas.
 - SEE SITE PLAN (f) On a site plan, indicate the location of existing curb cuts or access points.
 - (g) On a site plan indicate the location of any existing utilities such as water, sewer, gas, electricity, storm sewer, rivers, creeks, streams, irrigation ditches, easements, historical land marks, or any other items that may affect the application.
- (5) Cite any previous request for a zone change or variance involving the parcel, as well as any action taken on

previous requests.

- (6) **Application Fee:** All applications for rezoning must include an application fee of seven hundred fifty dollars (\$750.00).

THE FOLLOWING ARE THE CRITERIA BY WHICH ZONING AMENDMENTS ARE REVIEWED. PLEASE PROVIDE A RESPONSE AND DETAILED EXPLANATION FOR EACH CRITERION FOR CONSIDERATION BY THE PLANNING STAFF, PLANNING BOARD, AND COUNTY COMMISSIONERS.

Criteria 1: Is the proposed amendment in accordance with the Growth Policy's five primary goals and associated objectives?

Goal 1: Sustain and strengthen the economic well-being of Cascade County's citizens.

Objectives:

- a. Stimulate the retention and expansion of existing businesses, new businesses, value-added businesses, wholesale and retail businesses, and industries including agriculture, mining, manufacturing/processing, and forest products.
- b. Stabilize and diversify the county's tax base by encouraging the sustainable use of its natural resources.
- c. Identify and pursue primary business development that complements existing business, which is compatible with communities, and utilizes available assets. Identify and pursue targeted business development opportunities to include, but not limited to, manufacturing/heavy industry, telecommunications, and youth/social services.
- d. Promote the development of cultural resources and tourism to broaden Cascade County's economic base.
- e. Foster and stimulate well-planned entrepreneurship among the county's citizenry.
- f. Promote a strong local business environment. Encourage and strengthen business support mechanisms such as chambers of commerce, development organizations and business roundtable organizations.
- g. Improve local trade capture for Cascade County businesses. Promote local shopping as well as well-planned businesses and new businesses.
- h. Network with and support other economic development efforts in the region and statewide, in recognition of Cascade County's interdependence with other communities and to leverage available local resources.
- i. Encourage the growth of the agricultural economy.
- j. Stimulate the growth of the economy by encouraging the use of alternative methods of energy production, including wind energy.

Goal 2: Promote and maintain Cascade County's rural character and the community's historic relationship with natural resource development.

Objectives:

- a. Foster the continuance of agriculture and forestry in recognition of their economic contribution and the intrinsic natural beauty of grazing areas, farmlands, and forests.
- b. Preserve Cascade County's scenic beauty and conserve its forests, rangelands and streams, with their abundant wildlife and good fisheries.
- c. Preserve Cascade County's open space setting by encouraging new development to locate near existing towns and rural settlements and by discouraging poorly designed, land subdivisions and commercial development.
- d. Assure clean air, clean water, a healthful environment and good community appearance.
- e. Support the development of natural resources including but not limited to timber, mining, oil and gas production, and renewable energy production.
- f. Continue to work with federal and state agencies to redevelop properties within Cascade County which are currently undergoing Superfund and Brownfield processes.

Goal 3: Maintain agricultural economy.

Objectives:

- a. Protect the most productive soil types.
- b. Continue to protect soils against erosion.
- c. Protect the floodplain from non-agricultural development.
- d. Support the development of value-added agricultural industry in Cascade County utilizing the products from the regional area.

Goal 4: Retain the presence of the US Military in Cascade County.

Objectives:

- a. Encourage the federal congressional delegation to actively support maintaining the current mission status at a minimum.
- b. Promote the location of additional military missions in Cascade County.
- c. Encourage the reactivation of the runway at Malmstrom Air Force Base for fixed wing operations.
- d. Refer to the Joint Land Use Study for resolving conflicts and promoting mission compatible development.

Goal 5: Preserve and enhance the rural, friendly and independent lifestyle currently enjoyed by Cascade County's citizens.

Objectives:

- a. Maintain Cascade County's citizens independent lifestyle and minimize local governmental intervention, to the extent possible, consistent with the requirements of a continually evolving economy and constantly changing population.
- b. Preserve and promote Cascade County's rich cultural heritage, rooted in natural resource development and reflected in its numerous cultural/historic sites and archaeological areas.
- c. Promote fire prevention measures throughout the county, giving special emphasis to the extreme fire hazards present at the wild land/urban interface.
- d. Encourage the continued development of educational programs and facilities, recreational opportunities and spaced and health services for all county residents.

Is the proposed amendment designed to:

- Criteria 2: Secure safety from fire and other dangers?
- Criteria 3: Promote public health, public safety, and the general welfare?
- Criteria 4: Facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements?
- Criteria 5: The reasonable provision of adequate light and air?
- Criteria 6: The effect on motorized and non-motorized transportation systems?
- Criteria 7: Compatible urban growth in the vicinity of cities and towns that at a minimum must include the areas around municipalities?
- Criteria 8: The character of the district and its peculiar suitability for particular uses?
- Criteria 9: Conserving the value of buildings and encouraging the most appropriate use of land throughout the jurisdictional area?
- Criteria 10: Is the proposed amendment, as nearly as possible, compatible with the zoning ordinances of nearby municipalities?

I hereby certify that the information on and attached to this application is true and correct. I understand the fees for this application are not refundable. By signing of this application I agree that the Cascade County Planning Department staff to be present on the property for routine monitoring and inspection during the application process.

Applicant's Signature:

Rainy Wright

Rainy Wright

Date:

10/07/2020

11/17/2020

(4) A) No encumbrances other than a mortgage lien held by Wells Fargo Bank

B) Land area- 73.693ac

C) Land use and neighboring areas-

Land is currently used to graze horses and goats, our hay storage, and our home and garage. Neighboring areas are cattle grazing, a church, senior center, and four residential homes.

D) All neighboring properties are separated from any proposed business use by grazing pastures. No adverse or beneficial impact is expected.

5) No requests made to our knowledge

Criteria #1

Goal #1

- A) Yes, we are proposing a new and much desired business that will benefit our neighbors and community.
- B) Not applicable as we are not planning on using the natural resources in our proposed business
- C) We will be able to compliant the existing businesses by encouraging and fostering good neighbor policies and providing a service that will be appreciated by the owners of such businesses and their customers. We are unable to identify any existing or proposed manufacturing, heavy industry, telecommunications and/or youth and social services.
- D) As Sand Coulee and Stockett are not on most tourist itineraries, we don't expect this to have a great deal of impact.
- E) We are currently in the process of stimulating well planned entrepreneurship and will pursue this with diligent alacrity.
- F) As our current community lacks such organizations, we will be unable to join as such, however we intend to support the expansion of other businesses as they arrive and will pursue the creation of such organizations when presented with the opportunity.
- G) As the only other current businesses in our community are a tavern, a church and a senior center; we intent on capturing their business on a daily basis, while fostering community involvement.
- H) We intend to network with other in and out of county businesses as often as possible.
- I) As we are not directly involved with the agricultural community, this is non applicable.
- J) We would be delighted to be able to utilize wind energy to power our business and would be available to lease acreage to interested parties.

Goal #2

- A) We intend on maintaining the greater part of our existing grazing lands in order to beautify the surrounding property.
- B) Maintaining the bulk of our existing property as grazing will ensure that wildlife will not be adversely affected.
- C) As we are adjacent to the existing senior center, our proposed business will be located as near as possible to existing businesses.
- D) We can assure that.
- E) This is not applicable to our request.
- F) We will work with any federal and state agencies that may have jurisdiction over our property.

Goal #3

- A) Yes
- B) Yes, with proper landscaping and seeding.
- C) We are not in the floodplain.
- D) We would be delighted to support agriculture in any way possible as most of our projected customers will be from the agricultural community.

Goal #4

- A) Certainly
- B) Certainly
- C) Certainly
- D) Certainly

Goal #5

- A) We support the idea of independence and the minimization of local governmental interference.
- B) We are located in a strong cultural heritage area and will be supportive of such culture.
- C) Yes, we are currently involved in all community activities that support the volunteer fire department and we will adhere to all safety measures.
- D) Certainly

Criteria #2

Yes

Criteria #3

Yes

Criteria #4

Yes

Criteria #5

Yes

Criteria #6

Yes

Criteria #7

Yes

Criteria #8

Yes

Criteria #9

Yes

Criteria #10

Yes

hundred forty eight dollars and forty one cents, interest thereon, attorney's fees allowed in said decree, and the costs of said suit and of said sale thereunder, I duly levied upon, and after due and legal notice, I did on the 21st day of March, 2012, at 3:00 o'clock P.M., at Cascade County Courthouse, 2nd Floor Rotunda, 425 2nd Ave N. Great Falls, Montana in the City of Great Falls, in the said County of Cascade, offer for sale, according to law, at public auction, the several pieces and parcels of real estate set forth in said decree and order and hereinafter described, but received no bids for said separate parcels of land, and therefore then offered said real estate, being all of said parcels, first separately offered, as in one tract of land, and sold all of said real property as and in one tract of land to Wells Fargo Bank, NA at and for the sum of one hundred forty thousand four hundred twenty-one DOLLARS which was the highest and best bid therefore at said sale. The real property so sold is particularly described as follows, to-wit:

A tract of land in the S1/2 of Section 18 and the N1/2 of Section 19, Township 19 North, Range 5 East, PMM, Cascade County, Montana, described as follows:

Beginning at the N.W. Corner of Sec. 19, T.19 N., R.5 E., P.M.M., Cascade County, Montana;

Thence S 0° 15' 48" E. along the west boundary of Sec. 19, 202.71 ft. to the True Point of Beginning;

Thence S 80° 53' 14" E. 1848.76 ft.

Thence N 01° 18' 41" W. along the N-S mid-section line of said Sec. 19, 202.64 ft. to the north 1/4 corner of said Sec. 19;

Thence N 25° 10' 32" E. 860.07 ft.

Thence N 68° 12' 10" E. 234.75 ft., to a point on the west R/W of Hwy. 227;

Thence S 21° 47' 50" E. 558.62 ft. along said west R/W to the north lot in the town of Centerville;

Thence S 68° 12' 10" W 150.00 ft.;

Thence S 21° 47' 50" E 225.0 ft.;

Thence S 73° 04' 57" W, 165.92 ft. to a point on the south boundary of Sec. 18, which is N 86° 41' 18" E. 576.78 ft. from the south 1/4 corner of said Sec. 18;

Thence S 1° 15' 47" E, 490.17 ft.;

Thence N 77° 06' 07" E, 158.33 ft.;

Thence S 16° 27' 33" W. 138.20 ft.;

Thence S 23° 57' 27" E. 174.00 ft.;

Thence S 40° 31' 27" E 260.24 ft.;

Thence S 6° 53' 23" E. 269.54 ft. to the south boundary of and
the N 1/2 of the NE 1/4 of Sec. 19;
Thence S 88° 36' 00" W. 965.03 ft. to the SW corner of the
N 1/2 of the NE 1/4 of Sec. 19;
Thence N 85° 08' 28" W. 1832.21 ft. along the south boundary of
the N 1/2 NW 1/4 of Sec. 19;
Thence N 0° 15' 48" W along the west boundary of Sec. 19
1122.85 ft. to the Point of Beginning.
(According to Reel 283 and Document 182, recorded June 21,
1996, records of Cascade County, Montana.)

And I further certify that the said sum of one hundred
forty thousand four hundred twenty-one Dollars was the
whole price paid by said purchaser for said real property
sold to Wells Fargo Bank, NA by me and that real property
so sold is subject to redemption in lawful money of the
United States pursuant to the Statute in such case made and
provided.

Bob Edwards, Sheriff

By: [Signature] #17
Deputy Sheriff Grove

That the price of each distinct lot and parcel was as
follows: \$140,421.00

And that the said real estate is subject to redemption in
lawful money of the United States, pursuant to the Statutes
in such cases made and provided.

Given under my hand this 22nd day of March, A.D. 2012.

Bob Edwards, Sheriff

By: [Signature] #17
Deputy Sheriff Grove

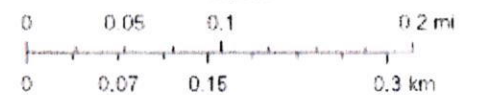
On this 22nd day of March, 2012, before me Lisa Mosley, a
Notary Public for the State of Montana, personally appeared
Travis Grove known to me to be the person whose name is

Cascade County Planning GIS Data

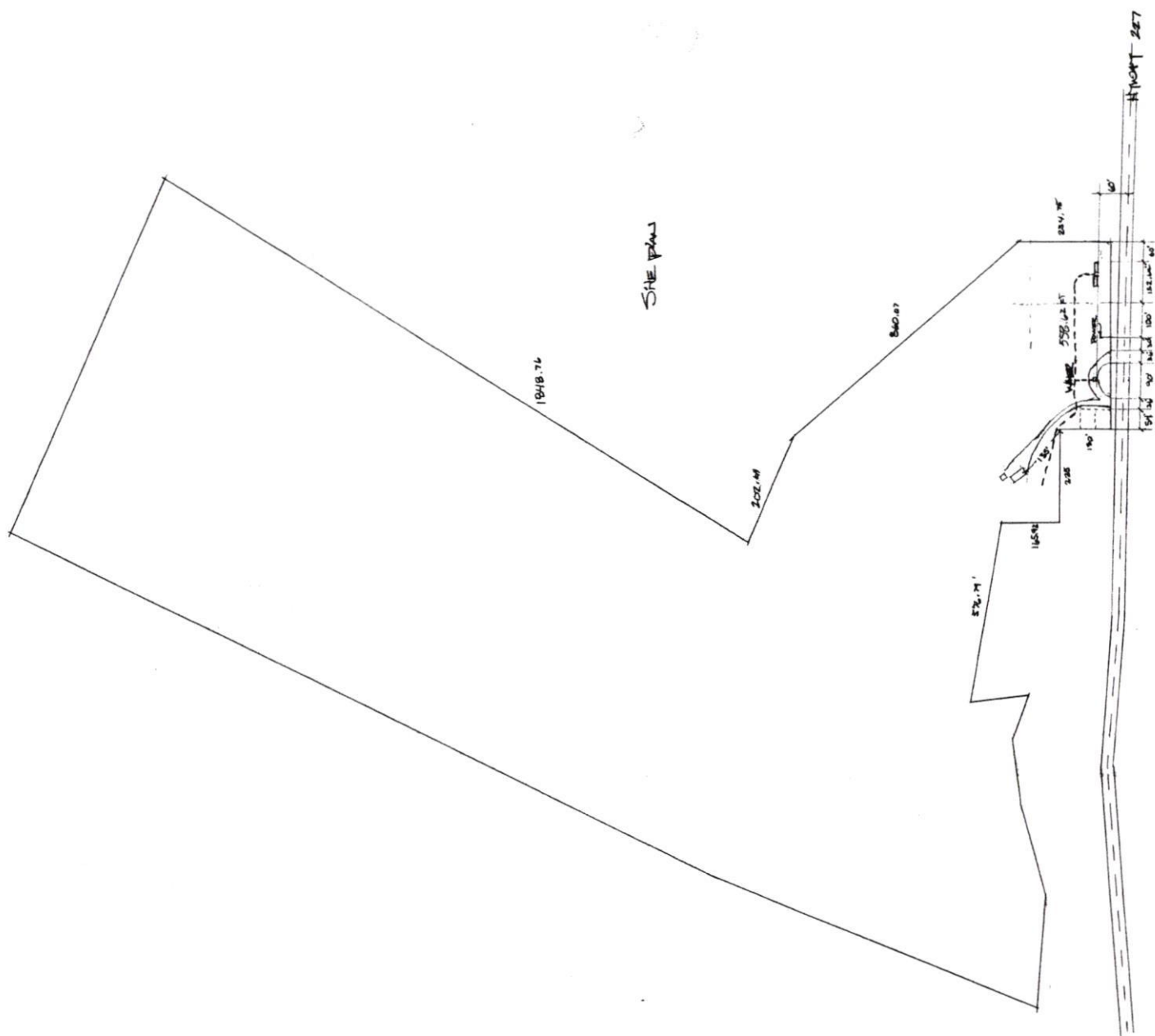


October 9, 2020

1:9,028



Source: Esri, Maxar, GeoEye, Earthstar, GeoGraphics, CNES/Airbus DS



Supplemental Questions for Zoning Change Application 2020- 003

Please answer the questions marked in blue:

- 1) Is this a proposed zoning text amendment or map amendment?

This is a map amendment.

- 2) Are you proposing a zoning change to the Commercial District or the Mixed-Use District?

This proposal is a change to the Mixed-Use District.

- 3) Could you please give a description of the type of business you plan to have on this property if the zoning change is granted?

A small (120sq ft) drive-thru coffee shop. We will serve local coffee roasted in Great Falls, and our clientele will be drawn from the local agricultural community.

Goal 1: Sustain and strengthen the economic well-being of Cascade County citizens.

Objectives:

J. Stimulate the growth of the economy by encouraging the use of alternative methods of energy production, including wind energy.

Applicant: We would be delighted to be able to utilize wind energy to power our business and would be available to lease acreage to interested parties.

- 1) Do you currently have plans to utilize wind energy for your business or plans to lease out land for this use?

At this time we do not have plans to utilize wind energy, we are simply open to the prospect should it arise.

Goal 2: Protect and maintain Cascade County's rural character and the community's historic relationship with natural resource development.

Objectives:

D. Assure clean air, clean water, a healthful environment and good community appearance.

Applicant: We can assure that.

- 1) What actions are you planning to take to assure clean air, clean water, a healthful environment and good community appearance?

We will add to our current landscape natural grasses, shrubs, and trees. The coffee shop will not produce any by-products that are harmful to the environment. The buildings

and corrals that we removed in order to accommodate the coffee shop could have been considered by the neighborhood as unsightly, however, the new landscaping and proposed planting will certainly improve the appearance of the property as seen from the high way.

Goal 3: Maintain agricultural economy

Objectives:

A. Protect the most productive soil types.

Applicant: Yes

1) How do you plan on protecting the most productive soil types?

With the planting and reintroduction of native grasses, shrubs, and trees.

Goal 4: Retain the presence of the U.S. Military in Cascade County

Objectives:

1) Will your proposed zoning change and/or business have any effect on the presence of the U.S. Military in Cascade County?

Our business will not have any effect on the presence of the US military in Cascade County as we are located several miles from Malmstrom Air Force base.

A. Encourage the federal congressional delegation to actively support maintaining the current mission status at a minimum.

Applicant: Certainly

B. Promote the location of additional military missions in Cascade County.

Applicant: Certainly

C. Encourage the reactivation of the runway at Malmstrom Air Force Base for fixed wing operations.

Applicant: Certainly

D. Refer to the Joint Land Use Study for resolving conflicts and promoting mission compatible development.

Applicant: Certainly

Goal 5: Preserve and enhance the rural, friendly and independent lifestyle currently enjoyed by Cascade County's citizens.

Objectives:

B. Preserve and promote Cascade County's rich cultural heritage, rooted in natural resource development and reflected in its numerous cultural/historic sites and archaeological areas.

Applicant: We are located in a strong cultural heritage area and will be supportive of such culture.

- 1) Are there any cultural/historic sites or archaeological site areas on the proposed rezone property?

The community that we live in and where the proposed coffee shop is located is recognized as a coal mining community. There are a number of people in the community who are descendants of the original coal miners. The mascot of the local school is a Miner and the coal mining culture remains a strong presence in our community.

D. Encourage the continued development of educational programs and facilities, recreational opportunities and spaces and health services for all county residents.

Applicant: Certainly

- 2) Will this proposed zone change and/or the business you plan to have here encourage the continued development of educational programs and facilities, recreational opportunities and spaces and health services for all county residents? If so, how?

As we are located less than a mile from the local school, we are certain that both educators and students will be included in our clientele and we plan to implement a series of fund-raising opportunities that will benefit the school.

Please expand on how your proposed zoning change pertains to the questions below:

Criteria #2:

Whether the zoning regulations have been designed to secure safety from fire and other dangers.

Applicant: Yes

The location of the coffee shop with respect to the highway and any structures was determined with easy access and egress in mind. Fire trucks and emergency vehicles will have easy access and egress from the property. We are located approximately 3 miles from the Volunteer Fire Hall.

Criteria #3:

Whether the zoning regulations have been designed to promote public health, public safety, and general welfare.

Applicant: Yes

We have located the coffee shop on a straight stretch of highway where there is excellent visibility for access and egress. There are no obstructions which would hinder visibility to or from the highway.

Criteria #4:

Whether the zoning regulations have been designed to facilitate the adequate provision of transportation, water, sewage, schools, parks, and other public requirements.

Applicant: Yes

Access and egress to and from the property was purposefully improved by the replacement of both culverts under the access and egress approaches from the highway.

Criteria #5:

Whether the zoning regulations have been designed to provide adequate light and air.

Applicant: Yes

As the building is only 120sq ft, it will have negligible effect on the surrounding light and air.

Criteria #6:

Whether the zoning regulations have been designed to address effects on motorized and non-motorized transportation systems.

Applicant: Yes

Necessary repairs have been made to both culverts, improving the safety of access and egress from the highway.

Criteria #7:

Whether the zoning regulations have been designed to be compatible with urban growth in the vicinity of cities and towns that at a minimum must include the areas around municipalities.

Applicant: Yes

We are doing our best to encourage local urban growth.

Criteria #8:

Whether the zoning regulations have been made with reasonable consideration to the district's peculiar suitability for particular uses.

Applicant: Yes

Our districts peculiar suitability is for the provision and service to the agricultural community and those members of the agricultural community will make up a significant percentage of our clientele.

Criteria #9:

Whether the zoning regulations have been made with a view to conserving the value of buildings and land.

Applicant: Yes

We are certain that the proposed business for our property will reflect favorably on our property values.

Criteria #10:

Must, as nearly as possible, be made compatible with the zoning ordinances of nearby municipalities.

Applicant: Yes

To the best of our knowledge.

10/24/2020

I, Rainy Wright, am requesting a zoning change to my property located at 662 Stockett Rd from r-5 to commercial/mixed use so that a drive through coffee stand can open and operate on the Northern end of the property which adjoins to the county rd.

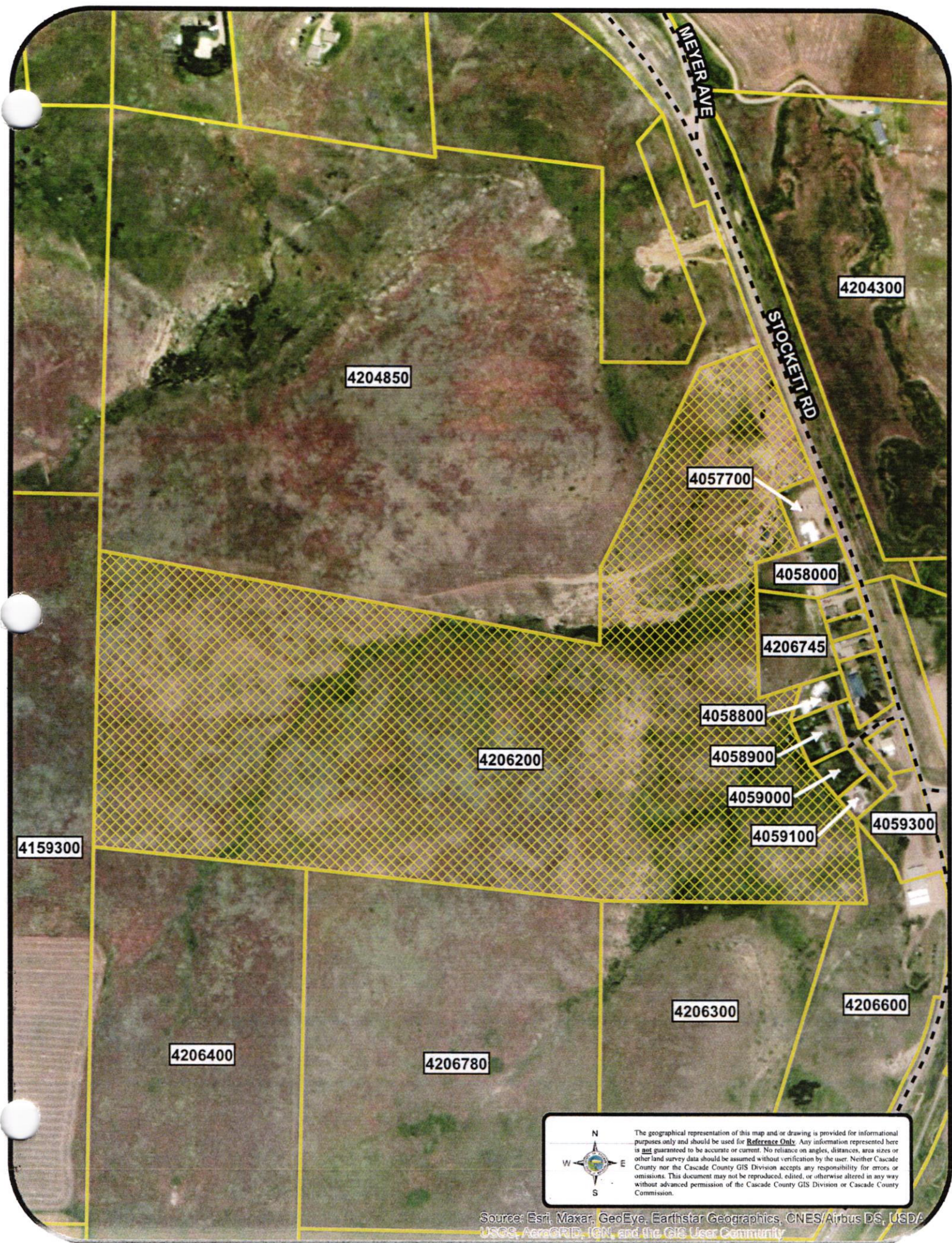
Your signature hereby acknowledges that you are in full support of this change.

Thank You

Clifford W. Harris

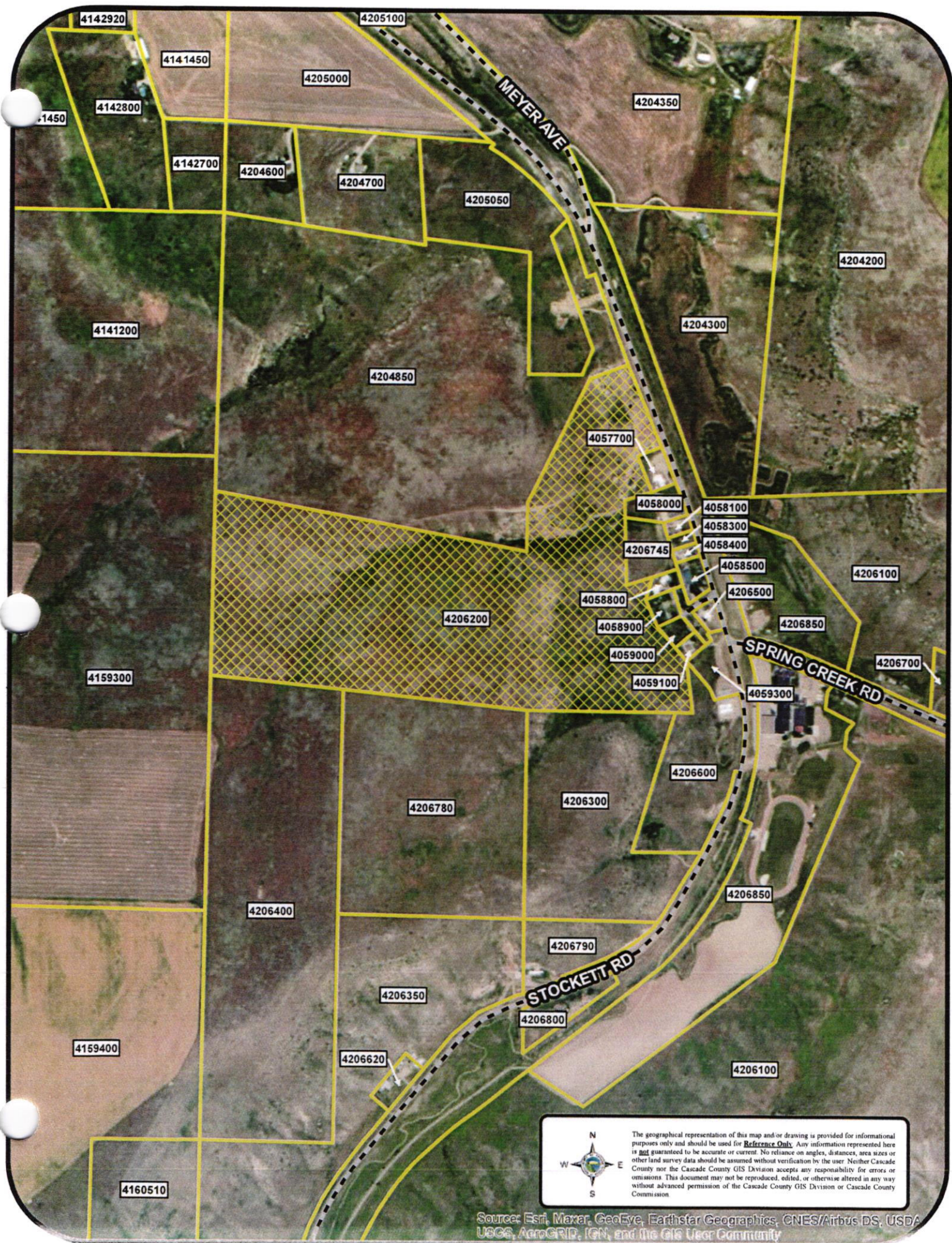
Rainy Wright

TROY JOHNSON
Troy Johnson
11-16-2020



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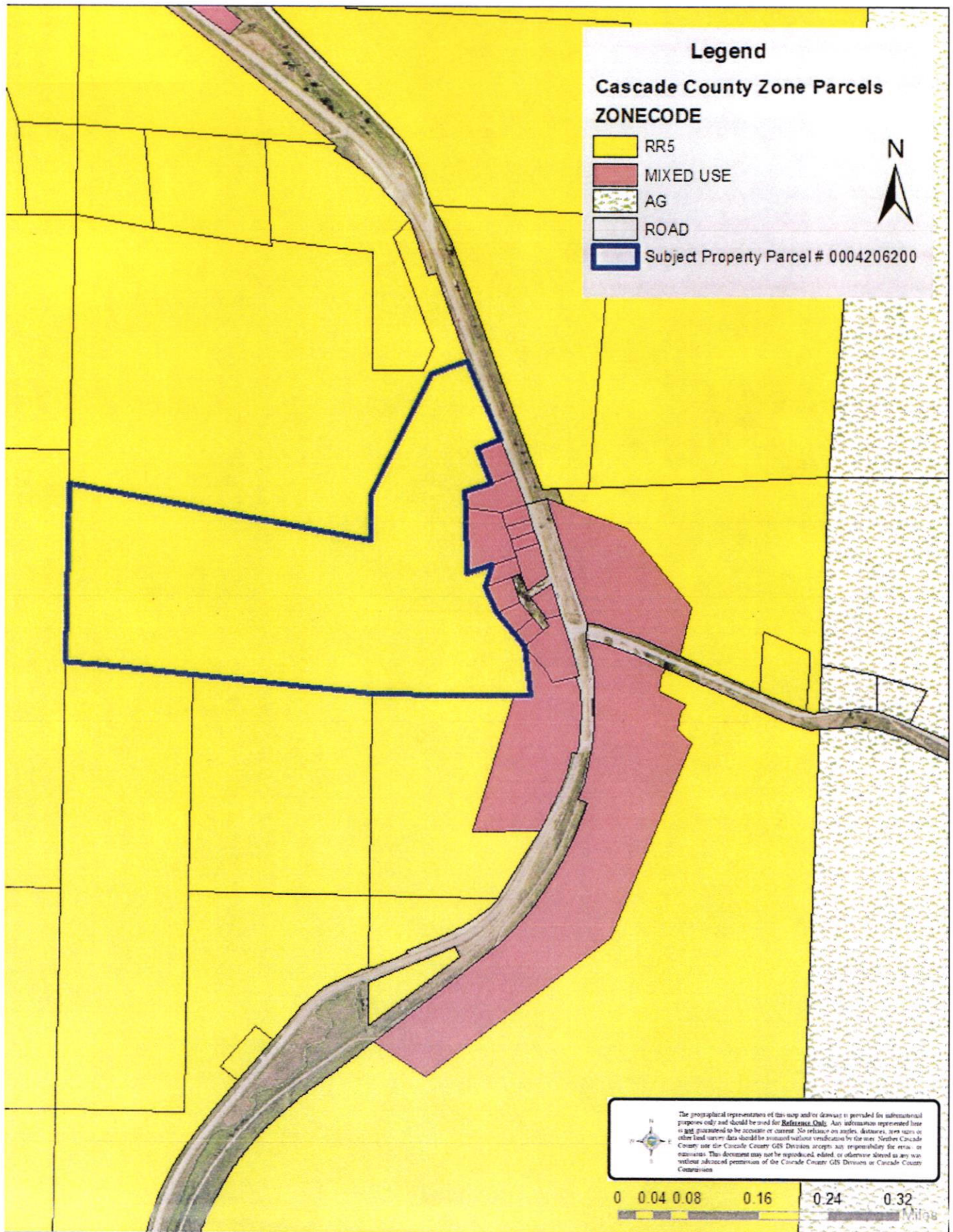


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Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Zoning Map

ZC 2020-003



7.1.1 RR-5 DISTRICT USE REGULATIONS - RURAL RESIDENTIAL DISTRICTS (MINIMUM LOT AREA: 5 ACRES)

7.1.1.1 PERMITTED PRINCIPAL USES

- (1) A one family dwelling per tract of land.
- (2) Educational Facility
- (3) Park, where off-street parking is provided for the users of such facilities.
- (4) Agricultural uses of land and usual agricultural buildings and structures.
- (5) Public safety facility.
- (6) Worship facility where off-street parking is provided as set forth in Section 8.4.
- (7) Limited Agricultural uses.
 - (a) The keeping of livestock animals, except buffalo, by a resident of the parcel requires that the parcel must be a minimum of one (1) acre in area.
 - (b) Large livestock animals, except buffalo, are allowed on a permanent basis at a ratio of two (2) animals per acre. Small livestock animals are allowed on a permanent basis at a ratio of four (4) per acre.
 - (c) Any stable, barn, shed, coop or other such structure to house livestock animals shall be a distance of at least twenty-five (25) feet from the property line of an adjacent owner and at least fifty (50) feet from any dwelling unit other than that of owner.
- (8) Family Day Care Home, Group Day Care Home, Day Care Center
- (9) Community Residential Facility-Provided eight occupants or less.
- (10) Retirement Home, Nursing Home.
- (11) Community Cultural Facility (Public and non-profit exhibits, libraries, museums, and art galleries or other similar institutions).
- (12) Bed and Breakfast.

- (13) Community Garden.
- (14) On-Site Construction Office.
- (15) Public Building.
- (16) Public Institution.

7.1.1.2 PERMITTED ACCESSORY USES LOCATED ON THE SAME LOT WITH THE PRINCIPAL USE

- (1) Accessory Building / Structure (i.e. carport, bathhouse, greenhouse, gardening shed, recreation room and similar structure) which is customarily used in conjunction with and incidental to a permitted principal use or structure.
- (2) Professional office in a residence.
- (3) Customary home occupation (see Definition of Home Occupation and Section 8.16).
- (4) Tower and studio facilities related to radio, television broadcasting stations, telecommunications, amateur radio station and/or antenna meteorological towers, residential wind turbines not to exceed 50 kW, Amateur Radio operations, subject to the requirements in Section 8.8 of these regulations.
- (5) Private garage (accessory use only).

7.1.1.3 USES PERMITTED UPON ISSUANCE OF A SPECIAL USE PERMIT

- (1) A second dwelling, including accessory dwelling units (examples: 1 single family home with garage apartment; or 1 duplex for two families; or two single family homes).
- (2) Recreation building or area operated by membership clubs for the benefit of members and not for gain.
- (3) Utility Installation, minor.
- (4) Structures meeting the definition of accessory building/structure but without a principal use – residential use only; no commercial use allowed, (not accessory, stand-alone structure).
- (5) The excavation of sand and gravel.
- (6) Tourist Home.

**7.1.1.4 AREA, HEIGHT, YARD, LOT COVERAGE AND PARKING
REQUIREMENTS PER SECTION 7.1.0**

7.8 MU DISTRICT – MIXED USE DISTRICT

7.8.1 MINIMUM LOT AREA

No minimum required

7.8.2 BUILDING HEIGHT

No restrictions, except as regulated in the Military Overlay District.

7.8.3 YARDS REQUIRED

(1) **Front yard**

Fifteen (15) feet

(2) **Side yard**

Six (6) feet

(3) **Rear yard**

Ten (10) feet

(4) **Exclusion**

Yard requirement provisions shall not apply to ground level installation of exterior spot lighting allowed as an accessory use.

7.8.4 SIGNS

Signs shall be subject to the regulations contained in Section 8.1.
No signage advertising off-premise businesses allowed.

7.8.5 OFF-STREET PARKING

Off-street Parking shall be provided in accordance with Section 8.4.

7.8.6 LANDSCAPING

Landscaping requirements shall be in accordance with Section 8.18.

7.8.7 SITE PLAN

Site Plan Review and Approval, as required in Section 8.5.

In each case where a commercial building or use is proposed, the Zoning Administrator shall review the site plan of the proposal in accordance with Section 8.5 and shall approve, or approve with modifications, or disapprove such site plan. In modifying or disapproving such site plan, the Zoning Administrator shall enter his reasons for such action in Office of Zoning Administrator's records.

7.8.8 PERMITTED PRINCIPAL USES

- (1) All permitted principal uses allowed in RR-5, SR-1, and SR-2 Districts
- (2) Any retail or wholesale trade (excluding large equipment trade) including, but not limited to:
 - (a) Administrative Services.
 - (b) Agricultural Sales (small equipment/machinery).
 - (d) Auction Sales.
 - (e) Automotive, mobile home, marine, recreational vehicle and accessories sale and service.
 - (f) Building materials, hardware and farm equipment sales and service.
 - (g) Casino, provided it is not within 600 feet (measured in a straight line, without regard to intervening structures or streets, from the outer wall of the casino, to the outer wall of the preceding use) of an education facility (K-12), day care facility, or worship facility.
 - (h) Construction Material Sales.
 - (i) Contractor Yard, Small (8.15.1).
 - (j) Financial Services.
 - (k) Funeral Home.
 - (l) General Repair.
 - (m) General Sales.

- (n) General Services.
- (o) Health Care Center
- (p) Health Care Facility.
- (q) Hotel and Motel.
- (r) Microbrewery.
- (s) Off-Site Liquor Sales.
- (t) Outdoor sports and recreation/entertainment.
- (u) Professional Services.
- (v) Restaurant.
- (w) Recreational Vehicle Park.
- (x) Retail.
- (y) Secondhand Sales.
- (z) Shopping Center.
- (aa) Small Equipment Rental / Sales / Repair.
- (bb) Specialty Sales.
- (cc) Tavern.
- (dd) Veterinary Clinic – Small Animal.
- (ee) Vehicle Fuel Sales.
- (ff) Vehicle Repair.
- (gg) Vehicle Sales and Rental.
- (hh) Vehicle Services.
- (ii) Wholesale trade.
- (jj) Instructional Facility.
- (kk) Agricultural Commodity Storage Facility.

- (3) Storage Facility, Self-Service where indoor storage space is provided for rent or lease and subject to the following conditions:
 - (a) Principal use of a rented or leased space shall be restricted to storage and shall not include processing, refining, transfer or distribution of any commercial material or product; and
 - (b) Storage of flammable or explosive liquids, solids, or gases shall not be permitted.
 - (c) Landscaping requirements shall be in accordance with Section 8.18.
 - (d) All material must be stored inside units. Storage of licensed, operable, vehicles including but not limited to Recreational Vehicles, Cars, Trucks, Vans, Trailers, Boats, Motorcycles, and All Terrain Vehicles, may be outside provided that proper screening, approved by the Planning Director, as to shield these units will occur.
- (4) Mobile Home Park / Mobile Home Court.
- (5) On-Site Construction Office.
- (6) Gravel Pit (open cut mining operation).

7.8.9 PERMITTED ACCESSORY USES LOCATED ON THE SAME LOT WITH THE PERMITTED PRINCIPAL USE

- (1) Any customary use incidental to the permitted use but not including any permanent outdoor storage.
- (2) Signs as covered in Section 8.1, pertaining to the permitted use and on the same lot therewith. No signage advertising off-premise businesses allowed.
- (3) Exterior spot lighting of buildings or grounds, provided such sources be shaded from motorists on public roadways and be located so that the beams are not directed toward any lot in a residential district or public highway.
- (4) Amateur Radio Station and/or Antenna, Meteorological Towers, Residential Wind Turbine not to exceed 50 kW may be used in the MU District subject to the requirements of Section 8.8 of these regulations.
- (5) Home Occupations.

- (6) Professional Office in a Residence.

7.8.10 USES PERMITTED UPON ISSUANCE OF A SPECIAL USE PERMIT

- (1) Manufactured housing sales.
- (2) Veterinary clinic, large animal.
- (3) Commercial kennel.
- (4) Large equipment rental / Sales / Repair.
- (5) Warehouse.
- (6) Animal shelter.
- (7) Administrative Government Center.
- (8) Composting facility.
- (9) Recycling center.
- (10) Solid waste transfer station.
- (11) Telecommunication facility.
- (12) Bus transit terminal.
- (13) Commercial parking lot.
- (14) Parking structure.
- (15) Taxi dispatch terminal.
- (16) Artisan shop.
- (17) Light manufacturing & assembly.
- (18) Garage, Public.
- (19) Indoor Entertainment.
- (20) Indoor Sports and Recreation.
- (21) Membership Club.
- (22) Parking Garage.

- (23) Tourist Home.
- (24) Utility Installation, Minor.
- (25) Worship Facility.
- (26) A second dwelling, including accessory dwelling units (examples: 1 single family home with garage apartment; or 1 duplex for two families; or two single family homes).

7.8.11 USES SPECIFICALLY NOT PERMITTED

- (1) Medical Marijuana Provider.
- (2) Sexually-Oriented Businesses.

SECTION 14. PROCEDURES FOR AMENDMENT

14.1 APPLICATION

An amendment to the Zoning Resolution [regulations or map(s)] may be initiated on a motion from the Board of County Commissioners of Cascade County or by one (1) or more of the residents or landowners within the jurisdictional area of the Zoning Resolution or by the Cascade County Planning Division. A petition for an amendment to the Zoning Resolution shall be submitted to the Planning Board for study and recommendation.

14.1.1 APPLICATION REQUIREMENTS

An applicant must notify the Planning Division and request a pre-application meeting with planning staff. The pre-application meeting will be scheduled within thirty (30) days of the request. At this meeting, staff will indicate the necessary information, process, and timeline for the rezoning petition process.

The application for a rezoning petition must include the following and any additional materials requested by Planning Staff during a pre-application meeting or relevant to the rezoning:

- (1) A letter signed by at least one landowner within the area to be rezoned explaining the requested rezoning.
- (2) A vicinity map of the parcels and surrounding area clearly identifying the location of the property.
- (3) A legal description of the boundaries of the proposed district.
- (4) A lot layout plan may be required indicating some or all of the following:
 - (a) Identify any covenants, liens, easements or any other encumbrances upon the parcel. If a description will not suffice, provide copies or exhibits when necessary.
 - (b) The land area of the parcel (found on deed, subdivision plat or certificate of survey at the Office of the County Clerk and Recorder or Planning Division).
 - (c) Describe the existing land use of the parcel and neighboring areas.
 - (d) Describe the anticipated impact upon neighboring property.
 - (e) On a site plan, indicate the dimensions of the property under consideration, the size and placement of existing structures, parking areas and landscaping areas.

- (f) On a site plan, indicate the location of existing curb cuts or access points.
 - (g) On a site plan indicate the location of any existing utilities such as water, sewer, gas, electricity, storm sewer, rivers, creeks, streams, irrigation ditches, easements, historical land marks, or any other items that may affect the application.
- (5) Cite any previous request for a zone change or variance involving the parcel, as well as any action taken on previous requests.
- (6) Prepare a statement which addresses the following considerations:
- (a) Made in accordance with the growth policy and
 - (b) Designed to:
 - (i) Secure safety from fire, and other dangers; and
 - (ii) Promote public health, public safety, and general welfare; and
 - (iii) Facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements.
 - (c) Reasonable provision of adequate light and air:
 - (d) The effect on motorized and non-motorized transportation systems;
 - (e) Compatible urban growth in the vicinity of cities and towns that at a minimum must include the areas around municipalities;
 - (f) The character of the district and its peculiar suitability for particular uses; and
 - (g) Conserving the value of buildings and encouraging the most appropriate use of land throughout the jurisdictional area.
 - (h) Must, as nearly as possible, be made compatible with the zoning ordinances of nearby municipalities.
7. Application Fee: All applications for rezoning must include an application fee of seven hundred fifty dollars (\$750.00).

14.2 HEARING BEFORE THE PLANNING BOARD

At the public hearing, the Planning Board shall give the public an opportunity to be heard regarding the proposed change in a zoning district or regulation.

14.3 HEARING BEFORE THE BOARD OF COUNTY COMMISSIONERS

14.3.1 NOTICE OF A PUBLIC HEARING

Notice of a public hearing on the proposed zoning district boundaries and of regulations for the zoning district must state:

- 14.3.1.1** The boundaries of the proposed district.
- 14.3.1.2** The general character of the proposed zoning regulations.
- 14.3.1.3** The time and place of the public hearing.
- 14.3.1.4** That the proposed zoning regulations or maps are on file for public inspection at the office of the County Clerk and Recorder and the Planning Office.
- 14.3.1.5** Be posted not less than 45 days before the public hearing in at least five public places within the proposed district; and
- 14.3.1.6** Be published once a week for 2 weeks in a newspaper of general circulation within the county.

14.3.2 Board of County Commissioners

At the public hearing, the Board of County Commissioners shall give the public an opportunity to be heard regarding the proposed change in a zoning district or regulation.

14.4 ACTION AFTER HEARING

14.4.1 After the public hearing

After the public hearing, the Board of County Commissioners shall review the proposals of the Planning Board and shall make such revisions or amendments as it may deem proper. This may include attaching reasonable conditions to ensure public health, safety, and welfare, mitigation to potential impacts, and comments/concerns received during the application process are considered and

addressed.

14.4.2 BOARD OF COUNTY COMMISSIONERS MAY PASS A RESOLUTION

The Board of County Commissioners may pass a resolution of intention to revise the boundaries of a zoning district or amend the zoning regulations.

14.4.3 BOARD OF COUNTY COMMISSIONERS SHALL PUBLISH NOTICE

The Board of County Commissioners shall publish notice of passage of the resolution of intention once a week for two (2) weeks in a newspaper of general circulation within the county. The notice as applicable shall state:

14.4.3.1 The boundaries of the proposed district;

14.4.3.2 The general character of the proposed zoning regulations;

14.4.3.3 That the proposed zoning regulations or maps are on file for public inspection at the office of the County Clerk and Recorder and the Cascade County Planning Division; and

14.4.3.4 That for thirty (30) days after first publication of this notice, the Board of County Commissioners will receive written protests to the creation of the zoning district, or to the creation of or amendment to the zoning regulations from persons owning real property within the district whose names appear on the last completed assessment roll of the county.

14.4.4 EXPIRATION OF THE PROTEST PERIOD

Within thirty (30) days after the expiration of the protest period, the Board of County Commissioners may in its discretion adopt the resolution creating the zoning district or establishing the zoning regulations for the district. However, if forty percent (40%) of the real property owners within the district whose names appear on the last completed assessment roll or if real property owners representing fifty-percent (50%) of the titled property ownership whose property is taxed for agricultural purposes under (MCA) Title 15 Chapter 7 Part 202 or whose property is taxed as forest land under (MCA) Title 15, Chapter 44, Part 1 have protested the establishment of the district or adoption of the regulations, the Board of County Commissioners may not adopt the resolution and a further zoning resolution may not be proposed for the district for a period of one (1) year.

Hobbs, Amber R.

From: Western, Scott <swestern@mt.gov>
Sent: Friday, December 11, 2020 10:12 AM
To: Hobbs, Amber R.
Cc: Western, Scott
Subject: Stockett Approach

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Amber,

I am just letting you know that I finally have made phone contact with Rainy the property owner of 662 Stockett RD. We informed her that she needs to fill out two approach applications as one approach was existing with the previous land owner and the other one is a new one. I also told her there is to be no work in the DOT right of way until the permits are approved. Hopefully she returns the permits next week, if you have any other questions feel free to contact me.

Thank You.



Scott Western

Great Falls Maintenance Superintendent
Montana Department of Transportation
200 Smelter Avenue NE
P.O. Box 1359
Great Falls, MT 59403
406-454-5891 | swestern@mt.gov



**BEFORE THE BOARD OF COUNTY COMMISSIONERS
CASCADE COUNTY, MT**

Resolution 21-04

**IN THE MATTER OF A RESOLUTION OF INTENTION
TO AMEND COUNTY ZONING DISTRICT MAP**

WHEREAS, under the provision of Title 76, Chapter 2, Part 2, Montana Code Annotated ("MCA"), the Board of County Commissioners is authorized to adopt zoning regulations; and

WHEREAS, a Zoning District and Regulations therefore was created by Resolution passed by the Board of County Commissioners on April 26, 2005, as documented on Resolution #05-018, on file in the Office of the Clerk and Recorder of Cascade County; and

WHEREAS, MCA § 76-2-205 authorizes the Board of County Commissioner to amend the zoning regulations; and

WHEREAS, a citizen petition for map change of zoning district classification from Rural Residential District ("RR5") to Mixed-Use ("MU") District was submitted for Parcel # 0004206200, Geocode: 02-2894-19-2-01-09-0000 a tract of land in the South ½ of Section 18 and North ½ of Section 19, Township 19 North, Range 5 East, PMM, Cascade County, Montana; and

WHEREAS, in accordance with MCA § 76-2-204, and Cascade County Zoning Regulations § 14, the Board of County Commissioners shall require the Cascade County Planning Board to act as a zoning commission to recommend boundaries and appropriate regulations for the various zoning districts; and

WHEREAS, a legal notice of the public hearing to be held on December 15, 2020 by the Cascade County Planning Board, regarding the requested county zoning change was published in the *Great Falls Tribune* on December 6, 2020, and December 13, 2020; and

WHEREAS, the Cascade County Planning Board held a public hearing on December 15, 2020, to allow any interested party to speak for or against the requested change, considered the above-mentioned petition, and passed a motion recommending the Board of County Commissioners approve said zoning change; and

WHEREAS, the Cascade County Planning Board is performing in an advisory capacity to the Board of County Commissioners regarding zoning and has provided a written report to the Board of County Commissioners regarding the above-mentioned zoning change; and

WHEREAS, in accordance with MCA § 76-2-205, notice was posted regarding the zoning change in at least 5 public places on December 9, 2020 and December 10, 2020, for the public hearing to be held by the Board of County Commissioners on January 26, 2021; and

WHEREAS, a legal notice of the public hearing to be held on January 26, 2021 by the Board of County Commissioners regarding the requested county zoning change was published in the *Great Falls Tribune* on January 17, 2021 and January 24, 2021; and

WHEREAS, the Board of County Commissioners, on January 26, 2021, held a public hearing to allow any interested party to speak for or against the requested change.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Cascade County to pass this Resolution of Intention to provide for the change of the zoning district classification from Rural Residential-5 District to Mixed-Use District for Parcel # 0004206200, Geocode: 02-2894-19-2-01-09-0000, a tract of land in the South ½ of Section 18 and North ½ of Section 19, Township 19 North, Range 5 East, PMM, Cascade County, Montana, as shown on Exhibit A attached hereto and by this reference incorporated herein.

The proposed zoning map change is on file for public inspection at the office of the Cascade County Clerk and Recorder.

Resolution 21-04

Passed and adopted at this Commission hearing on this 26th day of January, 2021.

BOARD OF COUNTY COMMISSIONERS
CASCADE COUNTY, MONTANA

Attest:

Joe Briggs, Chairman

Rina Ft Moore, Clerk and Recorder

James L. Larson, Commissioner

Commissioner

* APPROVED AS TO FORM:
Josh Racki, County Attorney

DEPUTY COUNTY ATTORNEY

* THE COUNTY ATTORNEY HAS PROVIDED ADVICE AND APPROVAL OF THE FOREGOING DOCUMENT LANGUAGE ON BEHALF OF THE BOARD OF CASCADE COUNTY COMMISSIONERS, AND NOT ON BEHALF OF OTHER PARTIES OR ENTITIES. REVIEW AND APPROVAL OF THIS DOCUMENT BY THE COUNTY ATTORNEY WAS CONDUCTED SOLELY FROM A LEGAL PERSPECTIVE AND FOR THE EXCLUSIVE BENEFIT OF CASCADE COUNTY. OTHER PARTIES SHOULD NOT RELY ON THIS APPROVAL AND SHOULD SEEK REVIEW AND APPROVAL BY THEIR OWN RESPECTIVE COUNSEL.

Zoning Map

ZC 2020-003

EXHIBIT A pg 1 of 2

